

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

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November 21, 1994

### Memorandum

TO: Klamath Fishery Management Council Members

FROM: Project Leader, Klamath River FRO  
Yreka, California

SUBJECT: Draft Oct 20-21 Klamath Council minutes

Enclosed for your review are the draft minutes of the October 20-21 Klamath Council meeting. As re-affirmed at the meeting, please get your comments back to us by December 7, 1994 so that these minutes can be approved (with any clarifications) at the next meeting.

Attached for your information are several items that you have not yet seen:

- Attachment #4 McIsaac's comments at the Pacific Council meeting (relates to several agenda items),
- Attachment #5 announcement regarding the Trinity Environmental Impact Statement public scoping meetings (relates to agendum #3b),
- Attachment #6 Yurok Tribe's letter of October 13 to Mike Ryan, Bureau of Reclamation (BOR) (relates to agendum #4),
- Attachment #7 California Department of Fish & Game's (DFG) data on the 1994 season as presented to the Pacific Council (relates to agendum #5),
- Attachment #8 data on Iron Gate Hatchery's current returns (relates to agendum #5),
- Attachment #9 Dave Webb's summary of spawner utilization on the Shasta River (relates to agendum #5),
- Attachment #10 the fax from the Solicitor's office (relates to agendum #11),
- Attachment #11 revised prompting letters (relates to agendum #24), and

Attachment #12 Mainstem Klamath River Fall Chinook Redd Surveys from  
Coastal California Fisheries Resource Office.

If you have any questions about any of this information, please contact Tricia  
Parker of my staff.

A handwritten signature in cursive script that reads "Ron Iverson".

Ron Iverson

Attachments

DRAFT MINUTES  
Klamath Fishery Management Council -- Meeting #39  
October 20-21, 1994  
Redwood National Park Conference Center, Hiouchi, CA

October 20

ADMINISTRATION

10:00 am Convene.

The meeting was called to order by Chair McIsaac with a quorum of members present (attachment 1). The members introduced themselves and Parker gave an overview of the background materials pertinent to the meeting.

1. Review and approve agenda.

Boydston asked for agenda item #11 to be moved after agenda item #7.

Members agreed to begin Friday's meeting at 9 am. McIsaac clarified that his expectation is to finish the agenda (even if it means going past noon) on Friday.

\*\* Motion to approve the amended agenda (attachment 2). Seconded.

\*\*\*\* Consensus.

2. Approve minutes of meetings held: March 1-2, March 7-8, April 4-5, May 23 and August 1.

Boydston: The March minutes should reflect that DFG's position on Trinity Restoration Act reauthorization is: DFG is not opposed to the reauthorization, but they are in no position to say one way or the other. DFG needs to see the elements of the legislation before making a decision.

McInnis: The August 1 minutes should be corrected. National Marine Fisheries Service (NMFS) has no plan to replace the current director.

Fletcher: I may provide corrections to the August minutes later.

Bitts: I won't vote to approve minutes that are to be edited after approval.

Wilkinson: Staff asks members to respond with comments on the minutes within a certain timeframe (per cover letter). Since all members are not complying with that timeframe, the Council is now faced with a major backlog. I'd like to ask the Chair to accept the minutes. From now on, members should comply with the established process by getting comments to Klamath River Fishery Resource Office (KRFR) by the date specified in the cover letter.

McIsaac: Let's consider the first four sets of minutes as one package. In the future, members will get comments on the minutes back to KRFRO within the stated timeframe. For now, approval of the August 1 minutes will be held off for one meeting.

\*\* Motion: Approve minutes of the March 1-2, March 7-8, April 4-5 and May 23 meetings.

Seconded.

\*\*\*\* Consensus (abstention: Kirk).

\* Future agenda item: approval of August 1 minutes.

#### TECHNICAL REPORTS

##### 10:30 3. Status of Klamath River Technical Advisory Team (KRTAT) assignments:

Barnes: The KRTAT met in Hoopa on Oct 5 and 6. New happenings with the team include: 1) We are saddened that our "innovative number cruncher," Robert Kope, is transferring to Seattle. We would like McInnis to send us a duplicate of Dr. Kope asap! 2) Halstead says that Fish and Wildlife Service (FWS) can no longer take part in the KRTAT because of the big budget reduction in the Arcata office.

McInnis: NMFS is gearing up to replace Robert Kope, but we have no one named to be on the TAT right now.

Q: Boley: Jerry, as Chair of the KRTAT, how do you feel the loss of the NMFS and FWS members will affect the function of the KRTAT?

A: The major contribution by FWS, that we will no longer have, is staff time from the office in Arcata. We will continue to obtain data on age composition from the scale analysis studies.

Iverson: The Council should view the loss of FWS staff time for KRTAT activities as a short term funding problem. I presume that it will be remedied soon.

##### a. Stock projection methodology report

Barnes: If spawner deficit accounting is not going to be used, then we should do a better job on stock projections. Agendum #3a shows our review of three stock projection methods: The method actually used by the PPMC (generally, linear regression with a computed Y-intercept), zero-intercept regression, and the partitioned cohort projection method (PCPM). The surprise was that the different maturity rates between Iron Gate Hatchery (IGH) and Trinity River Hatchery (TRH) stocks were large enough to cause gross inaccuracies. In 1986-1988 we found that none of the methods worked (Table 2). We found that all three methods that are currently being used fail and that there is no good method for predicting high stock sizes. The primary use of our work is for

the Salmon Technical Team (STT) to look at. Variability in ocean survival and maturity rates are still the biggest problem. The model includes assumptions (e.g. when Hankin and Mohr analyzed the variation in ocean survival, they came up with 15-100%). The zero intercept method is generally much better at low stock sizes, but it still underestimates. At moderate stock sizes the linear regression with computed y-intercept method works quite well. In conclusion, we state that as far as methods go, we still need to do the best that we can using the methods we have available.

Q: Page 3, says that the zero-intercept overestimates at high stock sizes. Is this true?

A: When the regression line is run through zero, it goes up higher at the other end. Our report should probably say "probably" in that sentence referring to performance of the zero-intercept method.

Q: In Table 2, could you explain why age composition data is available for the regression type prediction, but not available for PCPM?

A: Polos: Sub-basin escapement estimates of 2's gave 3's for PCPM, but we did not have sub-basin estimates for 3's so we couldn't calculate the number of 4 year old's. There is no age data available on the wild component from each basin.

McIsaac: I notice that the straight linear regression performed better than zero intercept for 4 year olds in '85, '86, '90 and '91 (Table 2). It also seems to me that 20,000 might be a better boundary for low stock size instead of 60,000.

Barnes: We really don't have a definitive database. By the time we get a definitive database, the fish may be gone.

Q: McIsaac: Is it true that there is no significant difference between the methods used to predict ocean abundance of 4 year olds in '88 and '89?

A: Right. Your comment and question emphasize the reason that the methodology needs to be determined year by year.

McCovey: Conservatism at low stock sizes is very important to avoid impacting stocks. We need to have adequate stock sizes for spawning to avoid successive years of low spawner escapement. I'd like to caution the Council that we are still a long ways from perfecting these methods.

Bitts: I agree with Pliny. At years of low stock sizes, we are better off being conservative. I suggest putting this table in graphic form for more easy comparison.

Barnes: We could add a graph as an addendum to this report.

Boley: I find Table 2 useful. The zero-intercept seems to work better for 3 year olds.

Q: In Table 2, is the "preseason prediction" column what is actually used every year?

A: Yes. The methods used to predict the stocks vary. These are explained in Table 1.

b. Trinity Coordinating Committee (TCC) request for analysis of benefits from restored Klamath fishery

McIsaac: On July 29, Arnold Whitridge of the Trinity Coordinating Committee (TCC) asked us to "direct the KRTAT to analyze the benefits of a fully restored Klamath-Trinity fall chinook fishery to all fisheries (sport, commercial and tribal. It would be beneficial if the analysis examined a variety of scenarios which would range from listing of fall chinook under the Endangered Species Act to the extraordinary spawner escapements which were experienced during the late 1980's" (attachment M to August minutes). In August, the Council asked the KRTAT to look at how they would do this analysis.

Barnes: When the KRTAT met in early October we looked at how we might analyze these benefits (Handout #3, part 2). Under "approach B" alpha would be increased (e.g. 14) then used to run the model out many generations to get equilibrium conditions.

McIsaac: So in summary, you are saying that this analysis could be done in "fish," but not in dollars. Today, it sounds like we need to choose one of your proposed approaches then tell you to go forward with the analysis.

Fletcher: I get nervous when we talk about the benefits of a fully restored fishery -- because an economic analysis would tend to look at economic benefits only. There are cultural and subsistence benefits that can not clearly be compared in this analysis.

Wilkinson: I respectfully disagree. Our culture is based on economic benefits. Some time in the future, I think we need to sit down and look at this idea.

McCovey: As a tribe, we would like to have our commercial fishery restored. We would like to have this Council look at the benefits of a fully restored fishery.

Bitts: What makes me nervous is the definition that fully restored means the maximum numbers of spawners returning to the river. I would like to see alpha increased because more productive habitat is truly a more restored fishery. I'd also like to see the number of 3 year old fish in the ocean on May 1 used as the measure of restoration. In this way, we would be more accurately assessing the true amount of productivity because we could look at survival to age 3 prior to harvest and prior to facing uncertain in-river habitat conditions.

Fletcher: That is precisely why numbers of fish are more valuable than economic benefits.

Iverson: Before the Council decides that an economic analysis should not be done, we need to hear the presentation tomorrow (agenda item #25). The economic analysis that is underway on the Trinity provides strong arguments for restoration. I would also like to plead for an opportunity to digest the KRTAT report before taking action on it.

McIsaac: I agree that doing an economic analysis on the benefits of a restored fishery is a good thing. An economic analysis is a very strong tool to compare the values of different resource uses. Look at the U.S./Canada forum, they deal with the same problem (e.g. value of the Canadian fishery versus the value of the Puget Sound tribal fishery). Let's revisit the topic of an economic analysis after hearing the presentation for agenda item #25.

McIsaac: I'm uncomfortable with the currently-used alpha, because I'm not convinced that it is the right one. Reconsideration of the alpha is a good thing for the KRTAT to be involved in.

Barnes: The alpha that is in use is the result of a discussion. Therefore, it is a negotiated alpha. The difficulty is choosing the alpha to use.

McInnis: Jerry, is it correct to say that, for now, you are only considering fall chinook in the analysis of benefits from a restored Klamath fishery?

Barnes: Right.

Q: McIsaac: What is the number of fish identified as the restoration goal for the Trinity basin?

A: Bruss: The fully restored fishery is identified to be 62,000 fall chinook. This is the estimate of the pre-project level.

McIsaac: So, we would want to look at harvest associated with 62,000 spawners. This would give us the total run size. If that run size occurred now, how much would be harvested in the ocean and how much would be harvested in-river?

Bitts: It would be difficult to reconstruct this because the spawning habitat is gone (it has been blocked by the dam and, downstream, it has been degraded).

McIsaac: The obligation was to produce as many fish as there used to be before the dam was built. Some of that is going to have to come from hatchery production. If anyone knows of a target that includes targets for sub-basins, bring that information tomorrow. We will discuss this item more tomorrow.

c. Identification of TCC funding needed to progress toward accomplishing data gathering needs

Barnes: The TCC is asking us to identify money and new data needs. We summarized the KRTAT findings as item #3 in today's report (attachment #3).

[note-taker comment: See also Handout M to the August minutes -- the July 29 letter from Whitridge to McIsaac.]

Kautsky: With respect to harvest monitoring, the upper Klamath recreational fishery is not monitored. The KRTAT is concerned with getting an estimate for this fishery. I polled agencies and tribes to put together a table of monitoring activities underway in the basin (table available from Kautsky upon request).

Boydston: Sampling and tagging levels should be increased to heighten the accuracy of the data collected. Right now, one tag represents too much information.

McIsaac: We should give the TCC some information.

Iverson: In terms of funding for monitoring needs, my experience is that the Klamath Council hasn't gotten enough representation from the Task Force Technical Work Group (TWG) in terms of support for the data monitoring projects. There doesn't seem to be enough understanding of the significance of these proposals by the Task Force.

Fletcher: We could easily use up all the Task Force money on monitoring projects and none could be left for restoration.

Boydston: First of all, as of Sept 30, 1995 there will be no state matching money to support restoration activities on the Trinity. Right now, CDFG is anticipating none of the \$1.6 million in funding that we have been receiving from the Bureau for monitoring in federal fiscal year 1996 (beginning Oct 1, 1995). We have several people who will be looking for jobs unless we can get some assurance from somewhere that we will continue the monitoring program. I expect that we will hold internal discussions about what will happen. Secondly, we are already feeling the impacts of reduced funding (e.g. Anadromous Fishery Act). We lost the position for ocean fishery staff so that means that we will be unable to read coded wire tags (CWT) recovered at hatcheries for 1995 management (i.e. we won't be able to calculate the contributions of fingerling release groups). There is no relief in sight. The analysis of the performance of '94 fisheries will also be coming out late. We won't know how we did with '94 management for a while.

McIsaac: If you don't have the tagged to un-tagged ratio in the Klamath fishery, then how will you calculate 1994 harvest rates?

Boydston: The tags will be read, but not by ocean salmon project people. In river data will be available, so the age composition of the run will be available. The age composition data could be plugged into the model. The tags that come back to the hatchery can't be read in time for '95 management, so we won't know the ocean harvest of Klamath chinook until later. This means that the Pacific Council's reports #1 and #2 won't be able to be completed on time.

Q: Fletcher: How many tags are available?

A: Boydston: I don't know the exact number.

Bitts: In 1993, 10,000 tags were recovered in ocean troll fishing. Of this number, 3,000 were from fish originating south of Point Arena and 140 were from Klamath fish.

McIsaac: This issue of DFG not being able to provide funding for tag processing seems to be a serious situation. LB, do you have any recommendations?

Boydston: The major problem is in regard to Trinity River fishery monitoring. We will have considerably less comfort in the data. In the ocean, we can't sort the stocks without CWT data.

Wilkinson: We could ask staff to draft a letter to CDFG to tell them our concerns.

Boydston: Right now, we are looking to the Bureau of Reclamation (BOR) for help.

Bruss: The legislation for Trinity Program reauthorization is currently in the Secretary of Interior's office. There is a lot of optimism that it will go forward in the next Congress, although since it does not yet have Congressional sponsorship, we shouldn't get our hopes up. In the past 2 years, the Trinity Program has spent \$2.4 million on monitoring. Of this, \$1.6 million went to the state (CDFG) to fund the data gathering aspects of monitoring. I've been asked to put together a group of technical experts to ask what the monitoring needs would be. The original assignment was to look at the basic funding needs, but as long as we are pulling these experts together, we could ask what data we need to make the "best" decisions.

McCovey: We need a proactive approach. We need good information, or at least the best information we can get.

Boydston: I suggest a letter from this Council to Roger Patterson (BOR) explaining our concerns about funding. We need funding to at least carry us through until the Act is re-authorized.

Wilkinson: My intent in this proposed letter is to address the issue of reauthorization. We need to differentiate between the issue of reauthorization and the issue of funding for monitoring.

Q: McIsaac: This Council considered a motion to show support for re-authorizing the Act at an earlier meeting. Would it be worth re-considering a similar motion now?

A: Boydston: No. I am still in the same position now that I was then.

Bitts: I am in favor of exploring other funding sources.

Wilkinson: If there is no change in positions regarding reauthorization, then we could still write the letter supporting funding of monitoring projects.

Q: McIsaac: Would a letter to Patterson still be the way to go?

A: Boydston: The letter would be a vehicle. Patterson could get it to the people who need to see it. I will volunteer to put together a draft for Klamath Council review.

McIsaac: Staff will need to be asked to collect comments (before the month of December if possible).

Q: Iverson: If we start out with the assumption that this appeal for funding is going to be separated from the appeal for reauthorization, then do you feel that this is the best balanced approach? I'm thinking in terms of the Review Team Report that shows that the problems are on the Klamath side.

A: Boydston: The \$1.6 million funds more than just data collection for fall chinook. This money is also used to run the weirs and for the tributary spawner surveys that collect information on steelhead and coho. I don't perceive that any of the existing programs are over funded. When we start changing methods, we will lose confidence in the numbers. Every time we have a meeting, I hear people say that we need more and better data. Right now, we are only collecting a minimum amount of data.

\*\* Motion (Bitts): LB will draft this letter to Patterson and send it to KRPRO for distribution to members. Staff will collect any comments from members. If there are no substantive changes, then the letter will be sent. Otherwise, we will need a conference call to finalize the draft.

Second.

\*\*\*\* Consensus.

Break for lunch

1:40 reconvened

#### 4. Report on Klamath River flows/temperature

Jim Bryant, Bureau of Reclamation: It is good to hear that you have as much trouble predicting the numbers of fish as we do predicting how much precipitation we are going to get. This year is the third worst year on record. Drought like this is a rare event, so all predictive tools go out the window. Water users served by the BOR (not all water users are served by BOR, some are private) had a net use of 370,000 acre feet of water (including the refuge). This is less than 2 acre feet of water per acre of land. This year we shut down 2 months early. The financial losses are unknown as yet, but they are expected to be substantial. The financial gain from agricultural products (e.g. potatoes and sugar beets) may be somewhat recovered if prices are up. Approximately 450,000 acre feet of water was sent down the river. So 45% stayed in the basin and 55% went down river. This is the toughest year we've seen. We have been meeting with Klamath tribes (Hoopa, Yurok, Karuk and Klamath) to negotiate water needs. The negotiation is still underway. When we look at where we go from here, it is hard to say. Last week we had to look

at the possibility of cutting flows. Right now we are maintaining 900 cfs flows down Klamath. Tom Kisanuki (USFWS, CCFRO) reported 90 redds in the mainstem Klamath between Iron Gate and Ash Creek (approx 12 miles) in one day. This compares to seeing only 80 redds all year last year. The problem is the water supply in Upper Klamath Lake. The salmon colored handout for agendum #4 shows that inflow matches outflow and there are no irrigation deliveries at this time. The refuge is not taking any more water. We are concerned about dry conditions leading to dust storms. If the forecast holds like it is, then there will be no more agricultural water deliveries. If present weather patterns are any indication, the outlook doesn't look good. People who are on private irrigation systems will do better than those on the government irrigation program. The page on cumulative precipitation shows only 0.4 inch this year. We should already be at 1 inch and we are not. The model only shows until December, because between now and December 31 we are not going to get much inflow (true 98% of the time). If instream flow releases are held at 900 cfs, then Upper Klamath Lake will only be at 4137.17 by the end of December. The hydrograph shows that normally we start to recover as soon as irrigation is shut off. Since that didn't happen this year, I feel that the prospects are pretty miserable.

Q: Iverson: What will be the Bureau's process for water allocation assuming another drought?

A: We have a government to government discussion with the tribes underway. We are attempting to define policy for next year. The Yurok Tribe sent a letter to Mike Ryan, BOR, October 7 (agendum #4) stating that Federal Energy Regulatory Commission (FERC) minimums of 900 cfs are the minimum flow expected. BOR is in the process of defining tribal rights. We feel that the tribes have the first right, but we are trying to define if that right is the same as the FERC minimum or if it is something else. We are not sure that the FERC minimum is correct.

Fletcher: The tribes want to see a measure of predictability brought into the water delivery equation by having good operating procedures. I'm glad that you said FERC minimums may not be the right amount, because the tribes have the same concern. We need to prove, with good science, how much water needs to be released and at what times.

Bryant: Yes, we need better science.

Fletcher: USFWS and CDFG have both said that until we have information to the contrary, we should go by the FERC minimums. Research regarding the development of FERC flows was done by the consulting firm Jones & Stokes in 1976.

McIsaac: On August 8, we sent a letter to BOR asking for a water allocation committee. We have had no response in regards to setting up this committee.

Bryant: It is difficult for us to answer your letter until the federal government and the tribes figure out what we are going to do. Later, others (e.g. the states) will be invited to join in the discussions.

McIsaac: I read that some "C" water users got water this year. Is this true?

Bryant: Yes. This happened because the other water users said they would shut down early if some water (2,500 ac ft) could go to "C" users. Project wide we saved 100,000 acre feet. The letter from the Yurok Tribe said that water users got "above normal deliveries." I am unsure where that data came from.

Fletcher: When the tribes met with BOR on August 24, plans were underway by the Bureau to go below the minimum lake levels as identified in the Biological Opinion. The only reason flows were cut off is because the basin tribes intervened in the process.

McCovey: Since the President addressed Native Americans earlier this year, we are now working on developing better communication between the federal government and tribes.

2:10 pm 5. Retrospective on 1994 season (Tribes, Agencies)

#### 1994 MANAGEMENT SEASON

#### OCEAN HARVEST

#### California ocean catches

CDFG, Boydston: The information will be presented to the Pacific Fisheries Management Council (PFMC) next week (attached). Today's data is still draft. The California commercial fishery was restricted (e.g. South of Point Arena 274,000 chinook were caught -- compared to 250,000 chinook caught last year) though reports say the fishery was good (primarily because the catch per delivery was almost double). There may also have been a reduction in effort.

Bits: Early in the season, it looked like it was going to be a 4 million pound year, but sometime in July the production tapered off. The number of boats was down (e.g. half of the boats were at Half-Moon Bay).

Boley: This year, the number of participants in the ocean commercial fishery was down. This might have been due to poor weather conditions.

Boydston: The number of permitted vessels has fallen below 2,400 (700 boats actually participated). This compares to 4,800 permitted vessels twelve years ago. In the Fort Bragg area, 137,000 chinook were caught. This compares to 94,000 last year. The combined recreational landings for Oregon and California Klamath Management Zone (KMZ) were:

	<u>quota</u>	<u>harvested</u>
<u>May 1-June 30</u>	10,300	11,100
<u>Aug 27-31</u>	500	1,200
<u>Sept 1-5</u>		900

Q: Why was there such an overage in the late season fishery?

A: The problem was with the government not moving fast enough. We could see that the quota was going to be reached very quickly (because so many (500) fish were caught on the first day of the late season). The problem was that there was no way, with offices closed over the weekend, to notify people fast enough to close the fishery before the last day of the season (Monday).

McIsaac: In the future, we may want to look at smaller (e.g. perhaps one day) quotas.

McCovey: How did the recreational KMZ effort compare with the '93 season?

Boydston: I don't have that information with me.

Mr. Jones: The effort was way down this year. I know that in '93 there were 20,000 bar crossings, but in '94 there were only 11,000 bar crossings.

Bitts: The effort in the May fishery in Eureka was way down from last year due to the time structure of the season and the weather.

#### Oregon and Washington ocean catches

Oregon Department of Fish and Wildlife (ODFW), McIsaac: The area north of Cape Falcon was closed to sport and non-treaty troll fishing so the harvest was zero. The only salmon fishery in Washington was the treaty tribal fishery near Neah Bay where the quota was for 16,000 fish -- only 5,000 were caught. The entire Oregon troll catch through September 18 was 18,000 chinook compared to 70,000 last year. There was a special target fishery for 1,500 spring chinook in the Rogue River. The catch was 300. The late season (August) target on the Rogue River was for 800 fish. Only 200 fish were harvested. All 200 were sampled for genetic stock identification studies. The quota fishery in mid-Oregon was for 10,000, but the catch was only a few hundred. The overall picture for the troll fishery is far below what was expected. There are 3 terminal fisheries in Oregon: 1) Garibaldi is open October 1 through November 15 for 1,000 sport (and something less than 1,000 for troll), 2) Port Orford begins November 1 (400 target), and 3) Brookings has a quota of 1,000 sport and 1,000 troll caught fish for a season that ran between October 10-20. I know that the troll catch is close to their quota and that sport anglers are expected to catch their quota.

#### RIVER

##### In-river sport (Bostwick)

In the downriver area, we came close to meeting the quota of 700 fish (738 fish harvested). The effort was down and the mouth is still closed (so anglers were fishing in what appeared to be a lake). The atmosphere between tribal fishermen and sport anglers was much more mellow this year. There were less negative exchanges between these two groups. The average fish was much larger than in the past (average weight 16 lbs this year versus an average weight of 10 lbs last year).

Boydston: In the upriver area (above Coon Creek) the mainstem is not monitored. The Trinity is estimated by tag returns which are still being analyzed. The assumption that we use is -- when half of the fish are caught below Coon Creek there is a 30 day lag to catch the rest of the quota. So the upper river is closed 30 days later (i.e. The fishery closed September 3 in the lower river area and October 2 in the upriver area). The sport fishery re-opened above I-5 up to (close to) Iron Gate Hatchery because the hatchery is close to reaching its quota -- so anglers are being given the opportunity to harvest some of the potentially excess fish.

#### Yurok Tribal Fishery

Fletcher: There have been 9,200 chinook caught so far this year. We monitored the harvest in 3 areas: 1) estuary = mouth of the river to the 101 bridge), 2) mid-Klamath = 101 bridge to Surper Creek, 3) upper-Klamath = Surper Creek to Weitchpec. This year the Trinity was projected to be the weaker component of the run so we structured our season around this. For example, we shut the estuary down fast (by the third week in August) and the other two zones have been closed since the third week in September. This Friday we will open the season for 2 days per week until December or when we finish the quota (200 fall chinook remain in quota). It appears that our efforts to lighten up on the Trinity portion of the run worked because we have only recovered 2 Trinity River CWT's. Overall, we constrained our effort more than laid out in 25 CFR Part 250 (allows fishing 5 days/week)

#### Hoopla Tribal Fishery

McCovey: On the Trinity side, we have harvested a cumulative total of 1,825 chinook (approximately 1,700 adults and 125 jacks). The quota of 2,300 has not been reached, although we anticipate reaching our quota this year. This year's harvest is up from last year (1,200 total). The Yurok's strategy to not impact Trinity fish might have helped out the Hoopa tribal harvest, but other problems still exist. We are still 500 fish from the quota.

#### ESCAPEMENT

Barry Collins, CDFG: Preliminary numbers show that we are seeing more Klamath fish this year. We have also noticed that fish on the Klamath side are larger than last year. On the Shasta River, we have seen 2,881 chinook (25% grilse) which is 5 times more fish than last year to date (567 chinook -- 8% grilse). On Bogus Creek, we've seen 1,735 chinook (3% grilse) compared to 1,210 (9% grilse) last year. At the Trinity weirs we have seen 3,037 fish (29 to 48% grilse) compared to 1,757 by the same date last year. At the hatcheries, Iron Gate is expected to reach its egg take goal of 10 million by the end of the season (4.8 million eggs have been taken so far). I guess that excess fish are being returned to the river. It is interesting to note that only 202 grilse have been seen at Iron Gate (2%) compared to last year's 405 grilse (4%). At Trinity River Hatchery, 2,329 fish have been used for 2.7 million eggs, but the fall chinook returning there are still green. We expect the natural spawning escapement to come close to the 35,000 floor.

Q: When Iron Gate Hatchery was closed to returning fish, did you look at putting excess fish into Cottonwood Creek?

A: No.

Q: Do you know how the returns to the Scott look?

A: No. Spawner surveys are just now getting started. I haven't seen the data yet.

Q: Do hatchery fish get marked, counted, then returned to the river?

A: Yes.

[See new attachment from Iron Gate Hatchery. Note that when the trap is open the fish can enter to be marked. The rest of the returning fish are not marked because they are not trapped.]

Bruss: An informal survey of anglers in the Trinity showed that fish and fishing is better than in previous years (e.g. one boat caught and released 37 salmon in one day). I hoped that the cut back in irrigation deliveries might have been helping the numbers of fish getting back up the Trinity River. I also hope that the efforts to build side channels and bank feathering are helping.

Q: Is the Shasta weir being operated?

A: Yes.

Boydston: We are cognizant of the concerns regarding the poor configuration of the Shasta weir. We hope that the remodeling done this year has helped the fish get through it.

Q: Wilkinson: Are CDFG budget constraints going to impact weir operations?

A: It may affect weir operations if the Trinity Program is not re-authorized. Trinity River weirs (Willow Creek and Junction City) and South Fork weir will not be funded. If the Klamath River Program gets further reductions, the weirs there may be influenced too.

Q: When did the first coho show up at the Willow Creek weir?

A: They showed up during the first week of operation. So far this year we have seen 36 coho (compared to 87 last year).

Q: Are the spawners that return to the 11 miles or so below Iron Gate Hatchery counted toward the 35,000 floor?

McIsaac: I am concerned about the natural spawning counts between Iron Gate Hatchery and Ash Creek. I recognize that this is similar to the Trinity side where the  $F_1$  generation status of these fish is hatchery origin. Are fish spawning in that area going to count in the 35,000 fish floor?

A: Collins: I don't think so. My understanding is that hatchery returns are marked. The number of natural spawners is not determined from the number of redds observed. We count the fish to determine the number of spawners.

Q: Do fish released from Iron Gate Hatchery count in the escapement estimates?

A: Yes. They are counted, marked, then released from IGH. Later, when carcass counts are made, the natural fish are differentiated from the marked hatchery fish.

Polos: FWS is conducting a mainstem redd survey (funded by the Task Force in FY94 and FY95). The survey estimates the amount of mainstem spawning by counting the redds (see attachment). CDFG converts that information into fish per redd to get estimates of the number of spawners.

Wilkinson: The stretch of the mainstem from Iron Gate Dam to Ash Creek is very poor spawning habitat.

Bitts: This business of natural versus hatchery fish is a morass. It strikes me that not all fish that return to the hatchery are hatchery fish -- it would be helpful if we had a clear and consistent definition of natural fish.

Iverson: Here's an idea for an agenda item for the next meeting. When we have CDFG's "megatable" in hand, we could ask the authors to describe each and every line in it. In this way we will all understand what is meant. We will construct the agenda to allow lots of time to discuss this topic at the meeting in February.

McIsaac: Is there any further discussion on this? It is good to see that many jacks are returning, especially after the disastrously low '92 year.

#### 1995 MANAGEMENT SEASON

#### 3:00 6. Council discussion on correcting for low escapement in tributaries (i.e., sub-basin stock strength) (Boydston)

The Harvest Allocation Work Group (HAWG) needs to reconvene with the technical people to address this issue. We need to know how to get extra protection to some tributaries. Some tributaries are not faring well (e.g. the Shasta River had runs of several thousand fish in the 1920-1930's and last year the runs were only a few hundred). On the Salmon River we have heard that good habitat exists but there are no fish to take advantage of it. Other tributaries also do not have the numbers of fish that they need. In the Shasta River Valley, a cooperative group called the Shasta River CRMP (Coordinated Resource Management Planning group) has formed to work towards getting better conditions for spawning. The first thought that comes to agricultural users is that salmon harvesters are killing all the fish. We (CDFG) have assured the CRMP people that we are doing the best we can and the real problem is the habitat.

The Pacific Council has circulated the Review Team Report which looks into escapement problems. On the Klamath side, reconstruction of tag recoveries shows that Klamath fish were being fished at a much higher rate than the Trinity side. Average Iron Gate Hatchery escapement rate was 28% and Trinity Hatchery escapement rate was 48%. The information available shows biological differences between the Trinity and Klamath stocks (e.g. the run timing is different between fish returning to the Klamath and Trinity). Is it possible that some of our management measures could be tweaked to provide for proportional numbers of fish in the harvest? We definitely need more protection for stocks from the Shasta and Scott Rivers so maybe this would provide for more fish back to these areas. I'd like to ask this Council to reconvene the HAWG to look at protective measures.

Fletcher: The Yurok Tribe is aware of these facts and we try to establish our season around these different maturity rates. We have sent a letter to the Fish and Game Commission to try to work on this issue. Perhaps all fisheries could take a closure to help these sub-basin stocks.

Wilkinson: Yes, we would like to take a look at this.

Fletcher: Our tribe has already exhibited that we can manage fisheries to protect these stocks.

McCovey: The Yurok Tribe is the only one who is actively working at protecting these stocks right now. If harvesters are going to be constrained, then the constraint needs to be "across the board."

Wilkinson: I see some real possibilities for information sharing and management measures that need to be shared.

Fletcher: We are talking about all fisheries.

\* Boydstun: I am talking all fisheries too. I want to institutionalize this concern up front. I just heard today that the Yurok Tribe had structured their fisheries this way for a reason. Typically, in the past, the escapement rate for the Trinity was higher. This could be a future agenda item for us to consider. This could be positive in terms of our relations in the upper river with agricultural interests.

Bitts: I don't see what more could happen out in the ocean to constrain the commercial fishery any further.

Boley: But you wouldn't know the answer until after run timing is looked at.

Fletcher: We have structured our fishery like this, to protect sub-basin stocks, for the last 2-3 years. We will continue to do it this way every year.

McInnis: All these efforts are worthwhile, especially in regards to the potential listings (e.g. coastwide steelhead listing may occur in February).

Bitts: We are very aware of all the swords hanging over our heads (i.e. ESA listing). I received an anonymous phone call last spring regarding flows in the Shasta dropping from 20 to 10 cfs. That event might have had more to do with the success of that year's class than anything else.

Iverson: LB, you've referred to the Review Team Report as a valuable source of information. In that report, 2 factors are cited as reasons for the under-escapement on the Klamath side of the basin. One factor is that there is a lower escapement rate back to the Klamath side than to the Trinity side, i.e. the harvest rate on Klamath fish is too high. Maybe this Council can deal with this issue. The second issue is in-river habitat. For example, the survival rate to age 2 of Klamath Fall chinook is much too low (based on Iron Gate Hatchery fingerling releases). Both of these issues are able to be quantified and both could bring survival/productivity up on the Klamath side.

Boydston: By mid November the final printed version of the Review Team Report will be available.

Break

3:30 reconvene

#### Public Comment

Jim Welter, Port of Brookings and KFMZFC: I'd like to bring your attention to a report by ODFW available regarding getting 9,000 fish back to the hatchery. A main point brought up in the report is that the percentage of jacks should increase because fish are being released at 90 to the pound. The report was done by Nicholas and Hankin and is referred to as 90-4. It is available by calling ODFW in Portland. Serge Birk (BOR) also put out lots of information on the hatchery program regarding yearlings never getting up to keep-able size. I also wanted to say that the Yuroks are doing a good job on selective harvest of fish.

David Webb, Shasta River Field Projects Coordinator: I'd like to thank the Council for responding to the letter we (the Shasta River CRMP) sent. We think it is very important to keep the lines of communication open. Discussion of the Shasta River has come up several times today. If any of you have questions about it, perhaps I can answer them, since I probably have more current on-the-ground experience than anyone else here today.

I have some observations that I think are important to share with you. In the past, many land users on the Shasta did not have much concern for salmon. The fish pretty much took care of themselves and that was it. The potential for a listing under the Endangered Species Act has changed that. One result is that land users are beginning to have a sense of ownership for "their" salmon. That sense of ownership has left people increasingly feeling that they are in competition with those of you who have a longstanding cultural or economic claim on some of those same fish. Somehow we need to change that sense of competition into a sense of partnership.

Developing that sense of partnership is the true challenge we face. I noticed in the minutes from your last meeting that the question was asked "Do people who do not understand fisheries management lay the blame on fisheries management?" Here I must tell you most emphatically that this is the case. And I say that not to offend you, but to help you understand the environment in which that partnership must develop.

To all of us, perceptions are reality. The perception that management is to blame makes my job in the field very hard, whether it is true or not. For landowners to take the steps they need to take to help turn things around, they need to have a sense of confidence that harvest managers will be working in partnership with them, and that those managers will take whatever steps are necessary to insure that adequate fish are allowed to return to spawn to take advantage of the habitat that is available.

When we started our CRMP on the Shasta, we made a conscious choice to focus our efforts on real, on-the-ground projects, rather than public relations efforts, political action, or foot-dragging. We soon came to the realization that we needed to add to our original focus by taking some kind of active role in harvest decisions because we need to be certain that our need for adult spawners is given the highest priority. We tend to believe that, in the past, that has not consistently happened. And if it means that we have to belly up to the table along with everyone else, then we will. We don't want to, but if we have to in order to protect ourselves we will.

Fisheries management is not our field, and we make specific suggestions only with reluctance. It seems to us, though, that you need better methods for stock identification. 100% marking of hatchery fish seems like a step in the right direction, one that, hopefully, will allow harvest impacts to be shifted onto them. Genetic stock identification would allow us to quantify what impacts are being imposed on the various natural stocks, and perhaps allow an expansion of efforts such as those taken by the Yurok Tribe to minimize impacts on stocks of concern. Another possibility would to expand the Hoopa proposal for deficit accounting to a sub-basin basis.

Earlier today, it was heartening to hear that everyone seemed to agree with the statements by Mr. Boydston (DFG) that the sub-basin stocks need continued protection. It tells me that you have faith that recovery is indeed still possible. As long as we all believe it, then we will take the steps necessary to make sure it does happen.

Q: Iverson: What is your impression of the '94 fall chinook run and what are the circumstances on the Shasta River right now.

A: The run this year is far better than any we have seen recently, but that is only in comparison to the late 80's. Compared to the long term, the numbers in the 80's are not all that impressive, and are probably too low for full use of the habitat. There are some interesting things we have noted in this year's run. One is that fish this year are noticeably larger and stronger than in the last few years, and they have survived their trip up-river better. We've noticed that this year, rather than straggling through one at a time in the dark (as we saw in the last few years), they are

gathering at the mouth of the river, and coming up in pulses of several hundred fish during the daytime. The modifications that DFG made at the counting weir seem to be helping the fish find their way into the trap, but when those pulses of fish arrive, it can take hours to process them all through. We do need to be thinking of what additional changes will need to be made to prepare the weir to handle the future/potential load of a 10,000 fish run. As it stands, even the current run is more than the weir can really accommodate. The run is probably about 2/3 through. I'm seeing a lot of aggressive defending of redds, but there are still a lot of under-utilized spawning areas.

Wilkinson: Do you have a perspective on the spawning utilization from the weir to the powerplant?

A: I don't have a good answer for this year yet. I will be walking much of that area this Saturday, and will get back to you (see attachment). In past years, the salmon were using the enhanced areas heavily, with lighter use of the areas of natural gravel accumulation. Ordinarily somewhere between 1/2 to 2/3 of the spawning occurs in the lower portion of the river, with the rest up around Big Springs. Unfortunately the landowner there won't allow any spawning surveys to be done.

Q: Fletcher: What other water related efforts are underway (besides unimpaired flows and draining of impoundments)?

A: Those are the only efforts directly related to water quantity and quality. We are doing a lot of cattle exclusion fencing which will also improve water and habitat quality. We are beginning to look at water efficiency improvements, but we are encountering several hurdles that are proving difficult to overcome. In order to get a significant amount of water, you need to look at the larger diversions--the irrigation districts. Their systems are large and complex, and the solutions will be difficult. We have not been able to get money for the preliminary engineering studies that will have to be done to define the work to be done, and the approximate price. It has to be done by someone the district can trust, and without it, we cannot even get started. A second dilemma that we are faced with is that the leakage from the irrigation ditches often creates wetlands--which are under the jurisdiction of the Corps of Engineers (COE). We want to fix the leaks in order to assure better flows in the Shasta River, but the COE won't let us dry up wetlands. We're working on resolving this issue, but don't know quite how we will do it.

Wilkinson: Oregon's watershed health concept is funded by lottery and state funds. It targets the same kind of problems that you are running into on the Shasta. Perhaps you could look into their methodology.

A: I'll try to follow-up on that.

6. Council discussion on correcting for low escapement in tributaries (i.e., sub-basin stock strength) (Boydston) Continued.

\*\*\*\* Motion: Wilkinson will convene the HAWG January 18-20 to address the issue of providing proper escapement to individual tributaries (and other issues) and make recommendations to the Klamath Council.

Seconded.

\*\*\*\* Consensus.

[The Council agreed that Agendum #7, "Should Klamath stocks receive more protection?" had been covered under previous agenda items.]

11. Parravano v Babbitt update (Bitts, McInnis, Iverson)

McIsaac: I'd asked staff to put this on the agenda, because when it gets settled it will change the multi year agreement.

McInnis: As far as DOC is concerned, we have a final answer at this time. We are abiding by the Solicitor's Opinion which has been upheld by Federal District Court.

Bitts: This winter, the plaintiffs will appeal. The issue won't be settled until the Supreme Court looks at it, so it could be years from now.

McInnis: The Appeals Court estimate for the hearing is in about a year.

Iverson: I have a fax from the Solicitor that shows the issues that are being appealed. This information could be distributed (attached).

McCovey: I am surprised that we got an answer from the District Court so quickly. What has been established as the base lawsuit is pretty straight forward. They are now looking for errors in the law.

Q: Don Rivard, Bureau of Indian Affairs (BIA): Could the audience get a summary of this issue?

A: McIsaac: ODFW is neither a defendant or a plaintiff on this issue, so I'll summarize it for you. The commercial fishing community is appealing an opinion from the Solicitor's office that spells out several issues including: 1) 50/50 harvest sharing of Klamath fishery resources between tribal and non-tribal users and 2) the Department of Interior (DOI) violated the law by failing to bring about restoration in the Klamath basin. The 50% allocation is a deviation from previous years harvest sharing. The defendant in the appeal (the government) filed a motion to dismiss the case. The judge decided to dismiss all of the plaintiff's complaints, so basically, the judge ruled in favor of the Department of Justice. Now the plaintiffs have gone to Federal Appeals Court arguing that District Court Judge Henderson made the wrong decision. The issues remain the same. There are also claims of procedural violations on the '93 fishing season. For example, last year, the Pacific Council recommended a season structure that the Department of Commerce (DOC) overruled. DOC decided to change the escapement goal from 35,000 to 38,000 in 1993.

8. Counting fish to be consistent with the Solicitor's opinion -- Adult Equivalents (Boydston)

Boydston: The Solicitor's opinion will be the basis for allocating fish in the upcoming season. That opinion allocates 50% of the available harvest of fish to the Hoopa and Yurok tribes and 50% to non-tribal harvesters. We reviewed the Solicitor's opinion and question its interpretation as to how the fish are counted. In 1993, prior to the Solicitor's opinion, the Departments of Interior and Commerce agreed to balance the harvest on a fish-for-fish basis (11,500 each for tribal and non-tribal harvesters). The Solicitor's opinion says that the tribe's fishing right is a right to take a share of each run of fish that pass through tribal fishing areas, absent interception. In other words, the counting is done on adult fish that return to the reservation. Our interpretation is that fish that would have returned to the reservation would be equally divided between the tribal and non-tribal fisheries. How that division is calculated is the issue here. Not all fish taken in the ocean fisheries would return to the reservations and be available for harvest.

Since ocean fisheries take fish that would not survive to the river, 100 fish in the ocean are not equal to 100 fish in the river. Some larger number in the ocean is equal to 100 fish in the river. We suggest using adult equivalents (AE) to balance ocean catches against in-river catches. We forwarded our concerns to Rod McInnis (NMFS) in a letter suggesting formulas that use the probability of ocean fish returning to the river to balance the harvest over many years. The KRTAT addressed this issue twice and came up with the same answer both times (see the April 4 KRTAT report and today's KRTAT report -- attachment #3). The KRTAT points out that AE accounting gets very complicated if you work on a year to year basis. Another point is that age 2 fish also need to be accounted for and currently there is no predictor for these. A number of other parameters in the ocean also need to be taken into consideration in regard to age 2 fish (e.g. non-directed fisheries such as ocean recreational bottom fishing). We have no quarrel with that. It is our opinion that the Solicitor's opinion points more toward this method than any other method. The issue of AE is an item for the HAWG to delve into at their next meeting.

Fletcher: The Solicitor's opinion has a sentence that reads "given the current depressed status of the Klamath stocks.... the tribes are entitled to 50% of the harvest." It says 50% of the harvest in several places in the document. There is only one little section that says "absent interception" which you are interpreting to mean AE. I'm not prepared to say whose interpretation is right. The bottom line of whose interpretation is the most important is probably Rod's. I don't see why we should dive into calculating AE until the interpretation of the Solicitor's opinion is figured out.

McInnis: My opinion is not going to count all that much. Although you did point in the right direction for where all this is heading. LB's concern will be discussed at the Pacific Council meeting. Who said that we would count fish for fish? It has not been decided to count any other way. DOC is not going to make a call on this independently from discussions with DOI.

McCovey: What process are we going to be using to determine adult equivalents? Within the Solicitor's Opinion there appear to be conflicting statements (e.g. #1 absent interception, #2 all harvest counted). It seems like these contradictions need to be figured out legally. The KRTAT should only be assigned technical issues. The KRTAT should make an analysis for a recommendation to be given to the Klamath Council then to the Pacific Council. The DFG representative should take the lead on this analysis. Legal review will be necessary. Perhaps the Solicitor could give a presentation to this Council. We need to break up these issues into Klamath Council, KRTAT and legal issues. We need to decide this today. We also need to know if we will use the same procedure that we used for spawner deficit accounting.

McIsaac: This issue is on the agenda to be discussed next week at the Pacific Council. Spawner equivalents are used on listed stocks in the Snake River system and adult equivalents are used in the Pacific Salmon Treaty in Alaska and in Northern British Columbia, so this idea is not brand new. The fish on the spawning ground count more than ones that haven't gone through any dams yet. Department of Commerce agreed to accounting by numbers of fish in 1993 due to the short timing of the harvest decision schedule. I didn't believe that it was a final decision. We did not specify that this method would be used forever. My opinion is that harvest is defined as absent interception. This is not a legal decision. Next week when I report to the Pacific Council, I don't think Commerce wants me to say that the Klamath Council was not able to reach consensus on this issue.

Fletcher: On what basis do we use AE? On a fish-by-fish basis? By biomass? If we look up north to the Columbia River and Puget Sound, we also need to look at factors such as equitable adjustment and incidental mortality. I don't want these technical issues to fog up the legal issues. I would rather have the legal analysis first, but I wouldn't want to slow down KRTAT research of the issues.

Q: Bitts: Would it be reasonable and prudent for this Council to seek clarification from the Solicitor? Let's get that hassle out of the way.

Q: McIsaac: Didn't Shake say that he would try to get the Solicitor to come out to one of our meetings?

A: Iverson: We could get a response from the Solicitor's office, but I don't know if we could get a formal opinion. If we had an informal question and answer session then it might be acceptable to invite them to our meeting.

Wilkinson: We all want to flesh this out and see to who's benefit this would go to. It sounds like this idea of having KRTAT review is supported.

Fletcher: I don't want the KRTAT to come back to us with any definitions. They need to look at the whole range of issues. For example, they could research the methodology used up north.

Boydston: I think we are making this more complicated than it needs to be. Our escapement rate model has all these parameters, that is how we came up with 33-34% escapement. I perceive reluctance to go down this path. I'm

asking for the HAWG to look at fish-for-fish accounting and biomass accounting as possible methods. We are not going to decide on this issue here today.

Boley: It appears to me that there is not agreement with the Solicitor's Opinion. It is "nice" that the judges believe in our scientific opinion, but in reality we don't have good data. Perhaps we should come to "needs based agreement." Maybe there is a better way to go. These are my thoughts, not the Pacific Council's.

McIsaac: Is there any further discussion on this item?

\*\*\*\* Action: McIsaac: We will ask the KRTAT to meet (prior to the HAWG meeting in January) to look at the Klamath Basin stocks that, without interception, would have passed through the reservations. Specifically, if '92 data were used, what would that number be?

Boydston: This assignment is certainly something that the HAWG could look into too. We need to look at more years of data than just 1992 and the KRTAT needs to be in the same room that the HAWG is in so we can get a clear assignment.

Wilkinson: We will schedule this meeting after the '94 escapement data is available, so come prepared to spend enough time to address the issues.

Fletcher: Are we going to call the Solicitor?

McIsaac: We could consider a letter to the Solicitor to get some legal clarification on the opinion.

Bitts: But, we might need clarification first on how AE could work.

Boydston: The most realistic thing that could happen is that DOC could tell DOI how to allocate fish. The state is going to come forward with an AE recommendation. I don't want to do it this way, but I will.

Q: Rivard: When does the Pacific Council come up with a number for how many fish are available to be harvested in 1995?

A: McIsaac: Usually in February.

Q: Rivard: Does that number already include natural mortality?

A: McIsaac: That number includes the natural mortality as of May 1.

Rivard: I'm not convinced that there's even a need to consider AE if the numbers for natural mortality are already factored in.

McIsaac: LB, what would you like to do?

Boydston: The HAWG could define the decided-on calculation protocol. For example, DFG could say their definition, and then the other technical people could say their definition. Eventually, we could develop a plan that everyone agrees with.

Fletcher: The potential HAWG meeting needs to have a thorough thrashing of issues. Legal and technical issues are getting really fuzzy right now.

McCovey: We need to make an informed decision. The more we study this, the more we can learn. I don't know what AE means right now.

Fletcher: If we look at how tribes in the Pacific Northwest handle this issue, it will involve some research before the HAWG meeting in January.

Wilkinson: If you are interested in looking into how these tribes handle the issue, then you will need to do the research and present it to us at the HAWG meeting.

Fletcher: Some of this stuff needs to be written down somewhere. Where do we get the reading material on this topic?

McInnis: I can get information from the NW region of NMFS, but arrangements between the states of Oregon and Washington and the tribe will only be available from those parties. I'll ask my counterparts in WA to get this information. I can't guarantee that it will happen.

5pm Recessed.

Update: At the Pacific Council meeting October 24-28 in Burlingame, the issue of AE was assigned back to the KRTAT for further analysis.

October 21, 1994

The meeting was convened by Chair McIsaac at 9am.

New agenda item: discussion regarding organizing meeting documents

McCovey: I would like to see handouts put in a binder so all the papers could be organized.

McIsaac: This is a good idea. Another issue that fits within this topic is the temptation of reading new handouts when instead we should be listening to the speakers. Also, what do we do about new letters that could lead to future agenda items?

[Don, what did you mean here?]

Iverson: We can assemble everything into 3 ring binders before the meeting, but that doesn't help when people show up at the meeting with new items for your review. We try to be liberal with handouts, that may be need to be read prior to the meeting, by providing these to you as enclosures with your draft or final agendas.

Bitts: I'd like to thank staff for reviewing the background materials with us as the meeting began. Perhaps a proposal could be for the Council not to have to make decisions on information that is handed to us that day.

McIsaac: This is a desired condition, although we can't have it as a hard and fast rule, because some documents that we receive will need to be acted on that day. Today, we should address agenda items #9 and 10, since we finished the discussion on the 1995 season yesterday.

9. Consideration of the spawning escapement goal for the Klamath River under the Solicitor's opinion (Boydston)

In the letter from DFG to McInnis (agendum #8), near the bottom of page 2, you will notice that the allocation between tribal and non-tribal harvesters (referred to in the Solicitor's Opinion) is on a yearly basis. This is a concern because if the allocation is not consistent with 33-34% escapement rate for each brood then it is not consistent with the Fishery Management Plan (FMP). This is a technical concern with DOC with regard to the FMP. If the Solicitor's opinion means that a .33-.34 brood escapement rate is no longer a goal, then that leaves no management constraint other than the floor.

McInnis: Your opinion, that the 33-34% spawning escapement goal is not flexible, is not shared by NMFS. This escapement goal is in the framework plan. I do not agree that the 35,000 floor is the only goal.

Boydston: The fisheries are able to target specific harvest allocation rates, because there are variables in recruitment (e.g. weak broods coupling with strong broods). This is why, in the past, we have fixed the harvest rates. We could fix the escapement rates to achieve long term fifty-fifty sharing. This would anchor the allowable ocean/in-river harvest rates.

McCovey: Over the past 4 years, we have been practicing floor management. In the future, we could negotiate to achieve the harvest rate mandated by the FMP. In other words, in the past few years of low abundance we have thrown the 33-34% escapement rate out in order to manage for the floor.

McIsaac: This discussion on using the 33-34% harvest rate came up at a meeting a year ago. I still have a hard time following why there would be a problem with this. Wouldn't there be problems with harvest rate management (HRM) even without fifty/fifty sharing?

Boydston: HRM assumes perfect knowledge about the selectivity of fisheries. It also assumes perfect management. It will achieve 33-34% escapement over time. I am glad to hear what Pliny said, because we need to develop long term sharing. The potential higher abundance levels will mean that we need an agreement for those years.

Barnes: KRTAT members could look at scenarios of how the long term agreement could work under various ocean stock sizes.

Polos: One thing I wanted to say the harvest rate combinations that were set earlier in the 1986 agreement -- that was for constant escapement rates and

then the shares for each fishery would vary, although in the long term they would average out to whatever was discussed. Now with that, that's where the variation occurred. Now with the fixed fifty-fifty, the variation would occur in the escapement rate (on average being 33%), if you pick the appropriate harvest rate combinations. It is where the variability comes in: if you are managing for constant escapement rate and variable harvest shares or vice versa. That's my understanding of how the equilibrium model works. Every time you get away from equilibrium age composition in the ocean, that's where things start to shift one way or the other. So if the Council wanted to manage for the 33% escapement rate, they would have to agree that in some years the tribal fisheries would get more and in other years they would get less. I believe that, as Pliny was talking about, the Solicitor's opinion made an allowance for that negotiation of harvest shares.

McIsaac: I may be exposing my density on this situation, but maybe its a good idea to have a simple example or a series of simple examples that we can look at. I'm still having trouble [understanding] how a strong brood followed by an exceptionally weak brood works under harvest rate management.

Polos: You are just applying the rate to that population. The problem that would come in with that is if you weren't going to exceed the floor. You are just removing a proportion of that population of each age class (e.g. with a real weak recruitment of a brood) that's where you'd start getting close to the floor. [Joe - could you please clarify this statement?]

McIsaac: That example I gave, where you have a large number of 4 year olds (a strong brood) the 3 year old brood is not even strong enough to make the floor) then the harvest rate on the weak brood is zero and the harvest rate on the strong brood is 66%. How do you do both of those?

Polos: Any time they are in the ocean and you have harvest and any time they come in the river and there's a harvest that population of that cohort is going to be exposed to some harvest. It is just a fraction, you know the rate, of those respective fisheries applied to that population. The problem is that when you have such low populations that at that rate even though it would be appropriate to use harvest rate management, the floor would probably be invoked and where you are actually managing for a higher escapement rate. [Joe - could you please clarify this statement?]

Kautsky: I think, under that example then, when those 3 year olds became 4 year olds your harvest rate for ocean fisheries would be reduced according to the floor. That would be floor management. That's where we'd be.

Fletcher: I guess I have a question for Dave, just kicking around some ideas. We are talking about the potential that in some years it wouldn't be fifty-fifty. It would be something greater and less than fifty-fifty for both sides (depending on the year and what the particular circumstances would be). How does that sit with you?

Bitts: I am not content to see it to be fifty-fifty in any year.

Fletcher: I know, that is what I said.

Bitts: There's another thing which is kind of a part, we are talking about pre-season plans here, I think realistically we have to realize that fifty-fifty, however we measure it, adult equivalents or fish-for-fish is probably never actually going to be achieved in any year. That's the way it is (because our knowledge beforehand is not perfect). So, I want to know, how does that sit with you?

Fletcher: Well, that's why with the whole discussion around adult equivalents or harvest rate management or fifty-fifty be met on a longer term or conflict with meeting fifty-fifty in any particular year seem kind of cloudy to me because Kope's analysis [shows] fifty-fifty is going to have a hard time ever really achieving fifty-fifty because the particular circumstances in the in-river fishery and the particular circumstances in the ocean fishery. So we would end up with the potential of how hard it is to manage in the ocean as far as when there are a lot of fish out there you are going to catch a lot of fish. That is just the way it is. In-river where there is a lot of fish, we are going to catch the quota. We are not going to be able to get that. So, do you see what I mean, that's the things you have been saying for a long time, I've heard you say it. What we are doing here, it seems like, we are dancing around circumstances that may not come to bear. I don't know how that really requires a lot of discussion. [Troy - could you please clarify this statement?]

Boydston: As for the inaccuracy in our ability to project catches and stock abundances and so forth, that's a given, you know, its like balancing your checkbook, you establish a procedure and do the best you can, but you don't throw it out because you don't always balance it. You do the best you can and that, I think, is where we are. As for the fifty-fifty every year, I knew when we went into harvest rate management that one of the agreements we had is that it would not always achieve balanced sharing every year. We went through some calculations last year in 1994. Had we adopted a long term fifty-fifty sharing combination and scaled back the fisheries to maintain that sharing ratio near the floor, the river fisheries would have been allocated more than 50% in 1994. Because of the strong four year old component. It depends on the balance between 3's and 4's as to who gets more or less of the fish. So, I would say, by the fact that the state and others here around the table agreed to HRM they also agreed to differences in allocation between years, understanding that in the long term, it would work out.

Boley: Imprecision is part of the process. The principal parties can negotiate over size of fish and how to count 3 year olds versus 4 year olds. There is certainly enough technical information that we should get together to talk about these issues and work hard to resolve them.

Fletcher: I agree that we have to make some decisions. If we look at it like a bank account, then we both need to be sure that after a certain amount of time our balances are the same.

McCovey: This sounds like a good discussion topic for the HAWG. If we look at the process in the north, they use what is called equitable adjustment to balance the harvest.

Bitts: I will only be able to negotiate on a year to year basis while this issue is in court. Once the Supreme Court rules, then I can work on a longer term agreement.

Fletcher: This might mean zeroing out one particular fishery.

Boley: Those are the concepts that would need to be talked about when equitable fisheries are discussed. It may take a couple of years.

McCovey: It will be at least four years.

McIsaac: The KRTAT could give us some simple examples of how AE could work out. The HAWG will then have a discussion of this on their agenda in January.

#### 10. Inside:outside mixed stock fishery issue

Fletcher: There is a lot of discussion on sub-basin protection, (attachment #10 -- paper by Polos).

Iverson: We heard an obscure comment by LB to put this item on the agenda.

Boley: This comment I have kind of refers to the last agenda item, but I did want to refer to Mr. Webb's comments regarding the perception by some of the inland people who are doing habitat work. Accountability for the resource is part of harvest rate management... [Scott, I couldn't quite hear your comments. Could you please clarify your statements?]

Bitts: Perhaps we could have some of our season planning meetings in Yreka so that CRMP members could be invited to attend.

#### Public comment

Jim Welter: re-emphasized the points made yesterday regarding ODFW's report.

Bob Jones, Brookings, OR: First, I have comments on the water issue. I notice that there is no letter to the Bureau from the state of California or Oregon. We shouldn't rely on just the tribes to insure that we get enough water. Everybody, including NMFS, needs to be involved in the process to make sure we get enough water. As far as AE goes, a 20" fish caught in the ocean is not equivalent to a 26" fish caught in river. The relatively small fish caught by a recreational angler is not equivalent to a 4 year old fish caught in a gill net. We have such a small number of fish that we need to be more aggressive. The passive approach does not always work. It is not equal sharing the way it is now.

Boydston: This spring, we asked the KRTAT what would happen if ocean fisheries decided to "up" their size limit. They responded that it could be done, but it would lower everybody's amount of fish (because of waste due to hook/release mortality). Otherwise, if you waste fish, they count against you

under the concept of AE. When the KRTAT finishes their exercises, we will see the assumptions that went into each share and how to account for it.

Fletcher: Regarding the water issue, the state of California and FWS have been making noise to the Bureau and have been ignored.

12. Action: Council assignments to KRTAT or identification of future Council discussion topics in regards to agenda items #6-11

McIsaac: LB, would you like to offer something in regard to fifty-fifty sharing, or HRM?

Boydston: Before the HAWG meets, the KRTAT could develop different stock size scenarios and what harvest sharing would look like under the Solicitor's Opinion. The KRTAT could fix a combination to determine the escapement goal, then back off and do fifty-fifty sharing. These would be good examples that we could look at during the HAWG meeting.

Wilkinson: We'll need the help of a few KRTAT members because our task keeps growing. My feeling is that we may be able to come closer to a long term agreement.

McIsaac: We'll ask the KRTAT to do this. It will be the third item on their agenda.

ADDITIONAL COUNCIL DISCUSSION ITEMS

13. Review long term plan and Council accomplishments (Parker)

Both of the federal advisory committees working for restoration of anadromous salmonids in the Klamath River, the Task Force and the Council, are guided by long range plans. The Task Force's long range plan calls for a review of accomplishments at the five-year mark. Would this Council like to entertain a similar step?

14. Council evaluation/discussion of accomplishments.

Bitts: We have carried out our legal charge by making some kind of recommendation to the Pacific Council every year.

Wilkinson: I agree. We at least cause the other entities not to have to go through the same steps that we do. Our barometer is that we are making a range of recommendations.

Boley: I do not see the utility in revisiting the long range plan at this time. When the appeals on the Solicitor's Opinion are concluded it may be appropriate to review our long range plan.

McIsaac: This Council's work on harvest sharing, as part of the effort by the HAWG, is higher priority than work on the plan.

15. Public comment.

McIsaac: Since there is no further discussion on this, we'll defer public comment until later.

16. Action: Klamath Council recommendation on amending their plan.  
Identification of steps and time-line.

\* The Council will consider reviewing their plan after the interpretation of the Solicitor's Opinion is resolved and after the current work on harvest sharing is completed.

17. Presentation of PFMC's "Research and Data Needs" document (Boley)

I would like to call your attention to page iii and 7, 8, 9, 10 in this document (agendum #17). The biggest items of interest here are hooking mortality, stock composition, and stock contributions. If Council members would like to comment on any of these items, please flag them for Pacific Council review.

McInnis: This exercise of delineating the top priority research and data needs is a process that the Pacific Council goes through every year. The document provides guidance to NMFS to help us set priorities.

Iverson: Page 3 shows a top priority data need as updating the net economic value of ocean sport fishery. This relates to agenda item #25.

Boydston: I want to call your attention to the summary on page iii and point out that it omits important recommendations that are shown later in the document (e.g. the debated data collection programs are not shown as top priority in the summary as they are in the back). From our perspective, before we get into these areas, we need to have an adequate data collection program.

Boley: Perhaps we could flag these areas, in collaboration with any other items that are important, to help with stock projections and performance of the fishery last year.

Fletcher: I agree. If we are going to get into a discussion about AE then we need this information. Freshwater habitat should also be considered a priority.

Bitts: It is very important that we do this exercise here, at this level, because there are 17 areas that are identified as high priority for salmon. This exercise looks like a continuation of transferring jobs from fishing to research. It is getting pretty close to being a complete transfer.

Q: McIsaac: When is the KRTAT scheduled to look into the question (page iii, item #3, of Research and Data Needs, Agendum #17) regarding alternative

management strategies "evaluate fixed escapement versus harvest rate management"?

Barnes: It would be best if we could do this for the '91 brood since that is the first year with low escapements.

McIsaac: Then '95 is when the brood year would be complete.

\*\* Motion (Boley): This Council identifies the high priority data needs as the basic PacFIN data needs (including information needed for stock projections and post season analysis). This would require restoration of funds to the appropriate entities. Other flagged items that this Council wishes to bring to the Pacific Council's attention include: freshwater habitat, hooking mortality, stock contribution and contact rates.

Seconded (Boydston).

#### Discussion

Bitts: The authorization is included in the bill from our congressman to authorize money for hooking mortality studies. Maybe we could take this issue out of the package.

McInnis: The bill didn't go through yet. It is probably on the same schedule as the coho listing -- waiting until the results of November's election.

Boydston: Is it appropriate for this Council to name PacFIN because it is groundfish program?

McInnis: In our communication to the Pacific Council, we should leave PacFIN out. Did Scott's list include monitoring of in-river escapement?

Boley: Not specifically. I did say that fisheries performance for the preceding year should be looked at which would include monitoring of in-river escapement.

McInnis: It would be best to spell this out clearly in our communication to the Pacific Council.

Boydston: We would also need to let the Pacific Council know that we want to have some flexibility in funding for data needs for inland and ocean areas.

\*\*\*\* Consensus.

\* If there are no further comments or discussion, then we can amend the motion to take out reference to PacFIN.

18. Action: Does the Council wish to pursue some of these data needs?

\*\*\*\* McIsaac will bring this Council's comments to PFMC next week and ask for priority.

[note-takers update: see attached documentation from Chair McIsaac on his presentation to the Pacific Council]

new agenda item

Kautsky: In August, Shake said that a marking symposium would take place in Vancouver in November. Does anyone know anything more about this workshop?

Boydston: The Pacific States Marine Fisheries Commission brought up the subject of a marking analysis. They will hold the main workshop in Vancouver. Two summary-type workshops will be held subsequent to the main workshop. One of these summary workshops will be held in conjunction with the Pacific Council meeting in San Francisco in March. This workshop will present the results of the selective fishery study.

McIsaac: The main meeting will be held the week of November 29 at the Four Seasons Hotel in Vancouver BC (Canada). The summary meetings will be held in California.

19. Report from members on re-appointment status

Iverson: The Klamath Act calls for this advisory committee to have 4 year appointments. The first round of appointments was made in '87, so the third round of appointments is needed in early '95. At least one appointing body is beginning the process to re-appoint their positions.

McIsaac: Can you tell us who is delinquent?

Iverson: DOI and the state of California are both notably delinquent. The last round of four year appointments was back in 1991. The Council first met in July '87, so we should have the third set of appointees in place in the first half of '95. We need to ask every appointing body to make a third round of appointments in the first half of '95. So nobody here would be excluded from that (i.e., those people who have been appointed as a replacement during the four year period still need to get a new re-appointment letter on file because each seat is filled for the same four year period).

McInnis: I know that the Department of Commerce is behind schedule on their re-appointments too. It sounds like October is the re-appointment date that you get from the legislation. July is another historic date that we could go by. If we have the latitude, then we should aim for July as the effective date for new appointments. Springtime would not be a good time to have the faces on this Council change since the allocation issue will be underway at that time.

20. Report on letter for prompting California re-appointments (Boydston)

Boydston: Before I tell you where we are in this process, I must let you know that getting any appointment through the Governor's office is an arduous process. It requires an extensive background review, financial review and disclosure of party affiliation. Hopefully when this Act comes up for re-authorization, it can be modified to not have such extensive governor review of appointments. California sent out a "call for nominations" a few weeks ago. We received 3 nominations. All are suitable. The next step will be to send out the governor's re-appointment package. We hope to also obtain designation of an alternate position, so that in the event that the designee cannot be present, an alternate can sit in. We hope to complete this re-appointment process before July.

McIsaac: I have reviewed the operating procedures. I note that members can designate an alternate (by putting the designation in writing to the Chair). Going a step further, as LB is suggesting, is also a very good idea.

21. Report on other prompting letters (McIsaac)

McIsaac: See agendum #21. The drafts will be modified to show July '95 as the target date.

Public comment

Ronnie Pierce: I want to ask about the Karuk seat on the Klamath Council. This seat is called for in the Long Range Plan. Leaf Hillman of the Karuk Tribe wants to know what actions should be taken and by whom (the tribe or FWS) to fill that seat.

Iverson: Adding a seat to the Klamath Council for the Karuk Tribe would require an amendment to the Act. Currently, Masten represents all non-Hoopa Indians, so the Karuk Tribe is represented by her. The process to get a distinct Karuk seat and a distinct Yurok seat would require an amendment. The last amendment to the Act expanded the membership of the Task Force. I understand that the amendment was shepherded through the process by the people interested in getting a seat.

Q: When will re-authorization of the Klamath Act take place?

A: Iverson: There is no date set, other than Oct 27, 2006 when the program should be completed.

Fletcher: There is a discrepancy in the legislation as it is now, because when the non-Hoopa seat changes to a Yurok seat the appointing authority should also change. Right now the appointing authority for the non-Hoopa seat is the Department of Interior. When the seat changes to a Yurok seat the appointing authority should become the Yurok Tribal Council.

McCovey: Is there anyone present who was involved in the amendment process to get new Task Force appointments?

Zepponi: I was not involved in that process.

Wilkinson: If we are going to look at amending the Act for membership changes, would the Council consider an amendment for an ocean recreational position for Oregon too?

[note-taker comment: I do not have a record of any response to this question.]

Pierce: The message that I will carry back to Leaf is that the Karuk Council will need to pursue having an amendment to the Act legislated.

McIsaac: Leaf could review and cite the portions of the long range plan that specify Council support for this proposed amendment to the legislation. Later, the Klamath Council could provide support as the issue is being considered by Congress.

Q: Mary Jackson, Yurok Council: I am unclear on the process for the Karuk Tribe having a seat on this Council. If there needs to be an Amendment to have a Karuk seat, then shouldn't the Council provide a letter of support to the Karuk Tribe so they can have it in hand prior to asking for the legislation?

A: McIsaac: We could do it this way, but we'll follow the process that has been done before (i.e. the interest group seeking the amendment will propose it on their own).

Wilkinson: Since both states are facing gubernatorial changes, it may take some time for these appointments to be made.

McIsaac: Let's revise the letter to "request that the appointments be made in January so that the people can be in place by July."

22. Proposed process for appointing ad hoc sub-committee members (Parker)

You can see from attachment #22 that we have proposed a draft form for appointing subcommittee members. The idea is that this form will be sent to members (after they have been reappointed) to clean up the issue of who is on which committee. The same four year cycle that applies to members would apply to their subcommittee appointments.

23. Council discussion on prompting letters and subcommittee appointments (e.g. content: address the "alternate" issue, who should sign, and a timeframe for sending).

Iverson: I strongly urge approval of this recommendation to re-appoint subcommittee members, especially in terms of reimbursing subcommittee members for travel costs. We need to know who is and who is not officially appointed.

24. Action: Council recommendation on revisions and time-frames for prompting letters.

\*\* Motion: The prompting letters (agendum #21), as drafted by staff and revised by the Council discussion (i.e., requesting that appointments be made in January so that the people can be in place by July), will be forwarded to the respective entities.

Seconded.

#### Discussion

Bitts: Shouldn't the letter regarding Troy's seat go to the Yurok Tribe instead of the Secretary of Interior?

Iverson: No, because the Act calls for the Secretary of Interior to make that appointment.

Boydston: I'll suggest sending the respective tribes a copy of the letters.

McInnis: The contact addresses in the letter to the Secretary of Commerce need to be corrected.

McIsaac: This last two suggestions will be considered administrative amendments to the motion.

\*\*\*\* Consensus.

\*\* Motion: Send the suggested form out to members (after they are reappointed) to confirm representation on subcommittees.

Second.

\*\*\*\* Consensus.

#### 25. Estimating economic benefits of restoring Klamath fish and fisheries (Aaron Douglas, National Biological Survey)

Douglas: The National Biological Survey will be estimating the economic benefits of restoring Klamath fish (including the marine resources) in a similar fashion to the economic study underway on the Trinity River (see handouts). Regarding the study on the Trinity, we have collected the data but it has not yet been fully analyzed. So far, we have found that approximately 235,000 people use the Trinity for recreational purposes every year. We are looking at consumer surplus and the social costs of loss of recreation due to hydropower production. Figure 1 in the handout shows a model of a demand curve. Since the resource we are studying is not bought or sold, it is more difficult to estimate the demand. The benefits should be large. We have two goals: 1) obtaining the social opportunity cost of putting water down the Trinity, 2) getting closer to reaching the ideal balance of costs between hydropower and recreational benefits. We can cross reference the results from the Trinity with the results that we get from the Klamath. The difference is that on the Klamath we need to estimate the marine economic benefits. I will be collecting information from PFMC documents and speaking with Alan Baracco

(CDFG) to get coastwide marine impacts on the Klamath-Trinity contribution. I visited the PCFFA office in Sausalito to try and get the data on impact to my report, but I haven't received the data yet. I also want to make sure that we integrate tribal values because I want to get a truly integrated picture for a composite view of the benefits.

26. Council discussion of Mr. Douglas' presentation

McCovey: I'm glad that have done research on this. Right now our water rights are unclear. They have been using our water to produce hydroelectric power. In Flathead, Montana, the profits from hydropower are shared with the tribes. It is hard for us to put a number on the value of water and fishery resources to the tribe's culture. Our water rights are not specifically quantified.

Fletcher: The tribes can't put a value on cultural/tribal values and uses. The best argument for us to proceed is looking at the numbers of fish.

Wilkinson: In '86 when we were suffering economic problems, the coastal communities of Oregon completed a non-scientific survey through the Chamber of Commerce. We found that the real value of fish to the community was aesthetic (i.e. knowing that the fish were there). This is the same value as the tribal value. This survey is still available from Oregon Coastal Fisheries Zone Management Coalition.

Bitts: I'll remind PCFFA (Zeke Grader) to send you the information you requested. It is true that for commercial and sport fisheries there are values involved beyond the ex-vessel value of the fish. I don't know how those can be quantified. Many people are no longer participating in the fishery.

Boley: I'm curious, if you are with National Biological Survey (NBS), who is funding this proposed survey?

Douglas: NBS is picking up most of the costs. Trinity County picked up some of the costs of the household survey because we had troubles with getting Office of Management and Budget (OMB) approval on that survey. I feel saddened that fish runs are decimated. It will also be very sad for me if the tribes don't support this because I have seen that tribal support can be critical to help get surveys through.

Boley: On the non-economic values that you mentioned (i.e. where you said that people perceive the Trinity as having a high value because it is the best in a decimated system), how would this affect the perception for an Indian tribe where the river is their cultural and ancestral home?

Douglas: We aim the survey for pollsters. We ask people if they value the use of the water to continue Indian harvest of fisheries. We mention (in the preamble of the survey) that water/fish resources have great cultural significance to the Tribes in the area. Trying to capture that value (in terms of the cultural significance) in economic terms is a moot point.

Fletcher: You throw that value out, because you would be quantifying the non-use values.

Douglas: If no one ever asked about the value of hydropower then we would be ok. But if you are going to talk about hydropower revenues then you need to look at other values as well.

Fletcher: We can all tell you how much economic value we are losing. What I am saying is how do you put a dollar amount on clean water, clean air, and cultural resources?

Wilkinson: A few years ago there was a group searching for Coastal Oregon values who came up with several hundred million in timber revenues versus 55 million in salmon revenues.

Douglas: The technique that we have proposed is supposed to answer a very limited range of issues. We need to be careful not to take it away from its original purpose. This survey is not going to tell you what God thinks the fishery is worth. Non-use values are extremely controversial because the non-use values outweigh the market values. We need to keep the results of this survey within the narrow context of the question. In other words, we need to keep it within a ballot type context.

Bitts: If we imagine for a minute that we have a restored fishery, and a set allocation, then the cultural values added to the economic values will be added together, not put against each other.

Fletcher: We are making this more difficult than it needs to be. The TCC wants this analysis in time to make a pitch for reauthorization of the Trinity Act.

Q: Where is the estimate for \$30 million foregone hydropower from?

A: On the 3 hydropower installations on the Trinity.

Q: What is consumer surplus?

A: Consumer surplus is a measure of "net aggregate social benefits" (p.90 of agenda #25 (Douglas and Johnson, 1993)).

27. Public comment (deferred)

28. Action: Council decision to cooperate/participate in the NBS project

McIsaac: What exactly would you like this Council to do?

Douglas: I'm happy just to be here. I'd like to see tribal support to help us along. I'd like to see an exchange of ideas. I want people to understand that what I want to do with the Klamath study is to consider the marine factors.

Boley: Your assumption in computing these values is that the Klamath is one of the last pristine rivers. Could that same assumption regarding non-market values be used for the commercial fishery? or small scale farmers?

Douglas: On the Colorado River, we spent hundreds of thousands of dollars on the pre-test and found that no one cared about most of the fisheries (e.g. bass). We found that people are concerned about the preservation of biodiversity, indian artifacts, and native fishes.

McIsaac: I extend our appreciation to Mr. Douglas for sharing his information with us. I also encourage the Council to read his handouts so we can get a better understanding of the economic analysis.

Now, we have a few outstanding agenda items for today's meeting. Agenda item #3b, a public comment period (including a 10 minute summary of the Landsat project), and agenda item #29. We will discuss #3b, then see where we are in regards to whether or not we need a lunch break.

Agenda item #3b (continued)

McIsaac: Our options are to drop the issue or give the TCC some direction.

Boydston: 65,000 is the restored number. We can't just ask the KRTAT to analyze based on this.

Barnes: 65,000 is for the Trinity so it won't work as the basin-wide restored number.

McIsaac: We would have to go back to the pre-dam years to get total run size.

Bitts: I object to the premises under which you are proceeding.

McIsaac: Do you expect when the Trinity is restored that you'll settle for less than originally?

Bitts: In addition to the dam blocking spawning habitat, habitat degradation has occurred to such an extent that the restoration goal, in terms of numbers of fish, has totally changed. This exercise on the restoration goal could be a worthless exercise unless hatchery production is used as the base.

Boley: The focus on 65,000 spawners only gives you an idea of how many fish should be available to be caught in the ocean, river, etc. I don't see why we can't do that kind of exercise.

Fletcher: This whole thing has been facilitated by the ocean users because of the concerns of obtaining a restored fishery.

Boydston: Whether we use 62,000 or 35,000 is academic. We will need to include a disclaimer showing the range of maximum sustainable yield (MSY) that could be used, the value/s of alpha and the fifty-fifty sharing.

McIsaac: Does the 62,000 include hatchery numbers? If we need 200,000 fish out of the Trinity, then that should be the goal. 62,000 spawners to the hatchery should not be the goal. The parameters of what the fisheries should be constructed around is really what we need to deal with.

Bitts: Don, I agree with you exactly. The parameters should be expressed in terms of the number of fish produced in the ocean, not the number of spawners. The goal is production of fish.

Barnes: If you were to set the parameters up this way, how would you segregate the Klamath from the Trinity?

McIsaac: Do you mean as far as the Coos Bay cell? We will also need to clarify if we mean optimum or average ocean conditions.

Bitts: In terms of catches in Coos Bay, Point Arena, etc, the catches will increase to a point, then the access to other stocks will not continue to rise. The impact rates on Klamath stocks will rise.

Boley: Jerry, why don't you just look at sharing contributions only (skip the zeros)?

A: Yes, that sounds good.

McIsaac: The KRTAT could look at the Trinity's restoration goal (200,000 spawners), where the fish would be landed, then for the ones that are landed in the ocean use the range of ratios (e.g. 10:15) and last year's sharing to give us an idea of what the harvest would look like.

Kautsky: The way you spread out the Klamath impact in the Klamath Ocean Harvest Model (KOHM) would give a big difference in the potential recovery in the troll fishery. For example, if you were to expand the Klamath impacts off the Sacramento in the Southern California Cell, you would be at a Klamath 3-4% contribution rate.

Boydston: We are only talking about evaluating Trinity fish. We are not talking about evaluating Sacramento fish. The impacts those fish have on other stocks is a separate issue.

Bitts: I am interested in the total benefit to the commercial fishery of the restored fishery (e.g. managing for 33% escapement instead of the floor). I am interested in the difference between the '93 and '94 fishing regime. You can assume that ocean fishermen are going to try to optimize their access to other stocks (especially when we are looking at maximum ocean harvest rates of less than 30%).

Boley: I agree. The real question is what is the difference between present values and a fully restored fishery. You will have to run the model, use recent history and document your assumptions.

Bitts: Didn't we throw out the number of 200,000 Trinity fish in the ocean? Was this for age 3 or age 3 and 4?

McIsaac: I would say that the 200,000 refers to adult fish (i.e. age 3, 4, 5). This exercise can get sticky, so it should have lower priority than your other KRTAT assignments.

KRTAT assignment summary: Barnes: In terms of adult fish, the KRTAT needs to look at the pre-dam goal on the Trinity to estimate adult populations. We need to assume average ocean conditions and choose two points of assumed ocean abundance.

Jones: Will this be modeled with the commercial fishery in the Klamath Fishery Management Zone (KMZ) or out of the KMZ?

Boley: It is similar to what has been done in the past (e.g. opportunities outside the KMZ with some opportunities inside the KMZ).

Bitts: I don't think it is practical to consider zone fisheries (except for target fisheries) when the Klamath ocean harvest shares are under 30%.

McIsaac: The KRTAT could have some flexibility to plug in reasonable numbers.

Boydston: You can look at Harvest Rate Model to determine the harvest rate that could be allowed. I would assume that the commercial fishery would have those harvest rates outside of the zone to increase the access.

#### 12:30 Public comment

Dave Zepponi, Klamath Water Users Association: We are looking at a number of farmers going out of business, so I wanted to speak to you specifically about economic modeling. We have sacred cows in the upper basin who could be impacted heavily if flows down the river change. You will need to consider externalities such as tribal interests in suckers, the benefits to water going over the hill to Sacramento, the recreational community, etc. The assumptions that are built into the model compound it so much that it becomes a political tool. It is disheartening to hear NBS say that this study was to used as a tool. If something like this comes about, what will be the outcome? We have a non-linear demand curve. I got out of economic modeling because I didn't feel it really applied to my clients.

Bitts: I suggest you have lunch with Mr Douglas to discuss how the study should be done.

Zepponi: To set the record straight: Tule Lake Irrigation District set a resolution to cut back deliveries 4-6 weeks early. This was an interdistrict transfer. The water saved by cutting off early let their neighbors irrigate. Remember that in terms of crops, the greatest benefits come in the last few weeks of the growing season.

Fletcher: It sounds like we both have a problem with the Bureau of Reclamation. People need to know what to expect.

Zepponi: Would you let us sit at the table with you?

Fletcher: No, not to discuss tribal relations for trust responsibilities.

Lunch

#### Public Comment Period

Andy Cologna: The photographs that I'd like to show you are from a feasibility study for applying Geographic Information System (GIS) to Klamath Restoration (funded by the Task Force). The Pacific Council is calling for work, in their Research and Data Needs document, that we have been working on since '91. I am giving you an overview of what is available. Bob Rohde is working on this with a microimage processor. Each scene costs \$4,000 and contains a vast amount of data. We developed three color schemes to inventory the condition of the watershed. The color schemes allow you to compare the condition of the watershed over time. For example, we have aerial photographs from U.S. Geological Survey (USGS) of the Klamath Glen area. We can incorporate data on soils, geology, etc to make layers in GIS to represent land use patterns, then contrast these land use patterns in the lower part of the Klamath River. Our work aims at encompassing all five goals of the Task Force's long range plan. This report (completed under cooperative agreement with the USFWS-KRFRO) has good information that I feel relates to much of the same work that you are doing. Landsat imagery is being incorporated into the GIS studies that Larry Fox (Humboldt State University) is doing under another FWS (Task Force recommended) cooperative agreement.

Q: This looks like good information that I'm sure is valuable to the Task Force. Where can the Council use this information?

A: I am trying to show you examples of what has been done.

Fletcher: This lower Klamath River area is soon going to be identified as being in need of a larger work plan. For example, the Yuroks are currently putting together a plan for Blue Creek.

Cologna: Terwer Creek has the potential of supporting good runs of salmon. I have quad maps for this whole area. We surveyed agencies to see how they store their data and found that many of them are not utilizing all the information that is available to them.

McIsaac: What I hear you saying is that you have proof that serious habitat degradation is going on. What I'd like to hear you say is how this Council can use your information.

Cologna: I am giving you information in the basic scientific format. Right now I am on results and discussion. The Klamath Ecosystem Restoration Office (ERO) has decided to consider the entire watershed as one unit. I believe that this definition will help with Endangered Species Act (ESA) listing. I recommend that you follow this same approach. We need to close the gap between research and policy. I took the wild fish data from CDFG and superimposed timber production data on it. I can see that the high timber production years are a mirror image of the low spawning escapement years 4 years later. I don't know where to go now. I have shown you just one tiny

picture. I hope to put all of this information into a 600 word abstract for your review.

Q: Boley: If we identified a sub-basin (e.g. Shasta River) and wanted to track habitat degradation in that one area over time could we do that?

A: I don't know if everyone wants to get that technical right now -- there are various methodologies. I recommend calling Larry Fox at Humboldt State University.

Boley: My question is, "Would it be possible to track habitat degradation in one area over time?"

A: A partial answer is that you can scan in information, then catalog that based on the other information you have. If you can gather solid data from that one spot then you can verify it. I have U. S. Forest Service (USFS) research data shown on posters on the back wall.

29. Identification of agenda items for the February 22-24 meeting in Brookings and the March 1-2 tentative meeting. Future meeting date/s and location/s.

Wilkinson: The HAWG will (tentatively) meet January 18-20 at a location along the coast (e.g. Brookings or Arcata). The meeting will be held at this time because by then we will have the 1994 harvest data firmed up. We will use that data to work on the 1995 season.

McIsaac: The Klamath Council will meet February 22-24 in Brookings to hear the HAWG's report, stock size projections, post season review, a review of ESA listings (McInnis) and elect a new vice-chair (the vice-chair position left with Sue Masten -- who is no longer on this Council). This meeting will not include much season negotiating. Boley could give a report on what the Pacific Council decided to do with our flagged data needs.

At the March 1-2 meeting in Eureka, this Council will meet to develop options for the 1995 season.

Just prior to the Pacific Fishery Management Council's meetings in Portland, this Council will meet on April 2 (in Portland), beginning at 10 am until 5 pm, to narrow the season options. McIsaac will give a summary of the selective fishery and mass marking workshop.

The fall meeting will be held in Yreka and may include a field trip to the Shasta River and weir.

Announcement

Boydston: The Salmon Technical Team will produce a report on hook and release mortality in ocean fisheries at next Tuesday's Pacific Council meeting. This report may affect the models that we use here.

Bitts: The latest information that I have heard is that the hooking rates assigned to the fishery are going to drive the listing of coho.

Orcutt (sitting in for McCovey): Could the public scoping meetings on the Environmental Impact Statement (EIS) for the Trinity Program be announced in the minutes of this meeting?

A: KRFRO will distribute this information (see attachment).

ADJOURN

\*\* Moved and seconded.

\*\*\*\* Consensus.

Klamath River Fishery Management Council  
October 20-21, 1994  
Hiouchi, California

Klamath Fishery Management Council members present:

David Bitts	Calif. Commercial Salmon Fishing Industry
Scott Boley	Pacific Fishery Management Council
L.B. Boydston	California Department of Fish and Game
Virginia Bostwick	Calif. In-River Sport Fishing Community
Troy Fletcher	Non-Hoopa Indians Residing in the Klamath Conservation Area
Ronald Iverson	U. S. Department of the Interior
Paul Kirk	Calif. Offshore Recreational Fishing Industry
Rod McInnis	National Marine Fisheries Service
Pliny McCovey, Sr.	Hoopa Indian Tribe
Donald McIsaac	Oregon Department of Fish and Wildlife
Keith Wilkinson	Oregon Commercial Salmon Fishing Industry

Others:

R. L. Allen	U. S. Bureau of Reclamation - Sacramento
John Bruss	U. S. Bureau of Reclamation - Klamath Basin Area
Jim Bryant	Calif. Dept. of Fish and Game
Barry Collins	Energy Resource Advocates
Andy Cologna	Calif. Dept. of Fish and Game
Steve Conger	Klamath Management Zone United Anglers
Judy Cunningham	Commercial Fishery - Salmon Trollers
Carol Davis	National Biological Survey
Aaron Douglas	Yurok Tribe
Larry Hendrix	Karuk Tribe
Leaf Hillman	Yurok Tribe
Mary Jackson	Klamath Management Zone Port of Brookings
Robert Jones	Hoopa Valley Tribe
George Kautsky	U. S. Fish and Wildlife - ERO
Steve Lewis	Commercial Fishery - Salmon Trollers
Marion Limvilla	Yurok Tribe
Butch Marks	Hoopa Valley Tribe
Kenny Noltoa	Hoopa Valley Tribe
Mike Orcutt	
Ronnie Pierce	Bureau of Indian Affairs
Don Rivard	
Dennis Therry	Klamath River Technical Advisory Team
Jim Waldvogel	Shasta River CRMP
Dave Webb	Yurok Tribe
Dale Webster	Klamath Management Zone Port of Brookings
Jim Welter	National Biological Survey
Sam Williamson	Klamath Water Users Assn.
David Zepponi	

FINAL AGENDA

Klamath Fishery Management Council -- Meeting #39  
October 20-21, 1994  
Redwood National Park Conference Center, Hiouchi, CA

October 20

ADMINISTRATION

10:00 am Convene. Introduce members. Review of background materials (Parker).

1. Review and approve agenda.
2. Approve minutes of meetings held: March 1-2, March 7-8, April 4-5, May 23 and August 1.

TECHNICAL REPORTS

10:30 3. Status of KRTAT assignments:

- a. Stock projection methodology report
- b. TCC request for analysis of benefits from restored Klamath fishery
- c. Identification of TCC funding needed to progress toward accomplishing data gathering needs

11:00 4. Report on Klamath River flows/temperature (Ryan, Rohde)

1994 MANAGEMENT SEASON

11:30 5. Retrospective on 1994 season (Tribes, Agencies)

Lunch

1995 MANAGEMENT SEASON

1:30 6. Council discussion on correcting for low escapement in tributaries (i.e., sub-basin stock strength) (Boydstun)

1:45 7. Should Klamath stocks receive more protection? (Boydstun)

2:00 8. Counting fish to be consistent with the Solicitor's opinion -- Adult Equivalents (Boydstun)

2:30 Break

- 2:45 9. Consideration of the spawning escapement goal for the Klamath River under the Solicitor's opinion (Boydston)
- 3:00 10. Inside:outside mixed stock fishery issue
- 3:15 11. Parravano v Babbitt update (Bitts, McInnis, Shake)
- 3:30 Public comment
- 3:45 12. Action: Council assignments to KRTAT or identification of future Council discussion topics in regards to agenda items #6-11
- 4:00 13. Review long term plan and Council accomplishments (Parker)
- 4:15 14. Council evaluation/discussion of accomplishments.
- 4:30 15. Public comment.

ADDITIONAL COUNCIL DISCUSSION ITEMS

- 4:45 16. Action: Klamath Council recommendation on amending their plan. Identification of steps and time-line.
- 5:00 Recess

October 21

- 8:30 am Convene. Announcements.
- 8:45 17. Presentation of PFMC's "Research and Data Needs" document (Boley)
- 9:00 18. Action: Does the Council wish to pursue some of these data needs? Assignments to KRTAT?
- 9:15 19. Report from members on re-appointment status
- 9:30 20. Report on letter for prompting California re-appointments (Boydston)
- 9:45 21. Report on other prompting letters (McIsaac)
- 10:00 22. Proposed process for appointing ad hoc sub-committee members (Parker)

Break

- 10:30 23. Council discussion on prompting letters and subcommittee appointments (e.g. content: address the "alternate" issue, who should sign, and a timeframe for sending).
- 10:45 24. Action: Council recommendation on revisions and time-frames for prompting letters.
- 11:00 25. Estimating economic benefits of restoring Klamath fish and fisheries (Aaron Douglas, National Biological Survey)
- 11:15 26. Council discussion of Mr. Douglas' presentation

11:30 27. Public comment

11:45 28. Action: Council decision to cooperate/participate in the NBS project

12:00 29. Identification of agenda items for the February 22-24 meeting in Brookings and the March 1-2 tentative meeting. Future meeting date/s and location/s.

ADJOURN

KLAMATH FISHERY MANAGEMENT COUNCIL MEETING  
OCTOBER 20 & 21, 1994

HANDOUTS

- AGENDUM #2      Comments on August 1, 1994 Klamath Council Minutes from Mike Orcutt.
- AGENDUM #3a      Klamath River Technical Advisory Team Comparison of Klamath Fall Chinook Stock Projection Methods for Years 1985 through 1993. (mailed with final agenda 9/30)(new one handed out at meeting)
- AGENDUM #3b      Announcement regarding the Trinity Environmental Impact Statement public scoping meetings (mailed with draft minutes)
- AGENDUM #4      Letter dated August 8, 1994, to Robinson and Ryan from the Klamath Council.
- AGENDUM #5      Yurok Tribe's letter of October 13 to Mike Ryan, Bureau of Reclamation (mailed with draft minutes)
- AGENDUM #5      Klamath Project - Klamath Project Upper Klamath Lake - October 19, 1994 (handed out at meeting - orange)
- AGENDUM #5      California Department of Fish & Game's data on the 1994 season as presented to the Pacific Council. (mailed with draft minutes)
- AGENDUM #5      Data on Iron Gate Hatchery's current returns (mailed with draft minutes)
- AGENDUM #5      Dave Webb's summary of spawner utilization on the Shasta River (mailed with draft minutes)
- AGENDUM #5      Memo from Thomas Shaw, Fish & Wildlife Service, CCFRO, on Mainstem Klamath River Fall Chinook Redd Surveys (mailed with draft minutes)
- AGENDUM #5      Preliminary Summary of Hoopa Tribal Harvest for 1994 (handed out at meeting)
- AGENDUM #8      Letter dated August 30, 1994, to National Marine Fisheries Service from California Department of Fish and Game. (mailed with final agenda 9/30)
- AGENDUM #8      Letter dated September 20, 1994, to California Department of Fish and Game from National Marine Fisheries Service. (mailed with final agenda 9/30)
- AGENDUM #10      Substock Management of Klamath River Fall Chinook in the Gill Net Fishery on the Yurok Indian Reservation by Joseph Polos and James Craig (handed out at meeting)
- AGENDUM #11      Fax from the Solicitor's office (mailed with draft minutes)
- AGENDUM #17      Research and Data Needs 1994 - 1996, Pacific Fishery Management Council. (mailed with final agenda 9/30)
- AGENDUM #20      Letter dated August 31, 1994 from Department of Fish and Game to All Interested Persons regarding Request for Nominations.

- AGENDUM #21 Draft Prompting Letters (set of 5). (mailed with final agenda 9/30)
- AGENDUM #22 Ad Hoc Subcommittee Members Appointment Form.
- AGENDUM #25 Instream Flow Assessment and Economic Valuation: A Survey of Nonmarket Benefits Research by Aaron J. Douglas and Richard L. Johnson
- Trinity River Flow: for fish and recreation - Trinity County Planning Department (handed out at meeting)
- Notes for a Presentation on a Klamath River Economics Study by Aaron J. Douglas of Midcontinent Ecological Science Center (handed out at meeting)

#### INFORMATION HANDOUTS

- #1 Final Draft Klamath River Fall Chinook Review Team Report by Pacific Fishery Management Council (Agendum #9)
- #2 Letter dated March 24, 1994 to Klamath Council from Carl Armour regarding accountability plan.
- #3 Letter dated June 22, 1994 to Arnold Whitridge, Chairman of the Trinity River Technical Coordinating Committee from Chairman McIsaac of the Klamath Council.
- #4 Letter dated August 31, 1994 to Robert Treanor, Executive Director, California Fish and Game Commission from Susie Long, Chairperson of the Yurok Tribe.
- #5 Letter dated August 30, 1994 to Blair Hart, Shasta River CRMP from Ronald Iverson, Project Leader of the Klamath River Fishery Resource Office.
- #6 Letter dated September 2, 1994 to Michael Ryan, Klamath Project Manager, Bureau of Reclamation from Tryg Sletteland of the Sierra Club Legal Defense Fund, Inc.
- #7 Memo dated April 4, 1994 to Klamath Fishery Management Council from Klamath River Technical Advisory Team. Subject: Response to Questions in Regard to the Potential Methods of Accounting for Harvest of Klamath Fall Chinook.
- #8 Letter dated October 3, 1994 to Chairman McIsaac, KFMC from Deputy Director Petrovich of CDF&G.
- #9 McIsaac's comments at the Pacific Council meeting (relates to several agenda items) (mailed with draft minutes)

STATEMENT OF THE KLAMATH FISHERY MANAGEMENT COUNCIL TO THE  
PACIFIC FISHERY MANAGEMENT COUNCIL  
October 25, 1994

The Klamath Fishery Management Council (KFMC) met October 20 - 21 in Hiouchi, California for their regular fall meeting.

Two of the items discussed included the issues of

- 1) adult equivalency accounting for purposes of tribal and non-tribal catch allocation and
- 2) technical inconsistencies between brood year harvest rate management, as defined by Amendment 9 to the PFMC SMP, and annual 50 : 50 catch allocation to tribal and non-tribal fisheries.

The KFMC was unable to reach consensus on specific recommendations about how to proceed on these two issues. However the KFMC did assign various tasks to the KRTAT relative to these issues and will reconsider these issues at meetings in February and March.

Another item discussed was the prioritization of subjects listed in the PFMC August 22, 1994 report "Research and Data Needs 1994-1996". The KFMC noted that many subjects are ranked as "High Priority" and offer the following four recommendations to guide funding opportunities on research and data needs that may arise during 1994-1996:

- 1) The highest priority should be assigned to maintenance of salmon data collection programs and the personnel necessary to summarize and analyze this data. Recent cuts in federal and state funding have eliminated certain functions considered key to the efficient management of Klamath River salmon stocks. The most obvious example is the reductions in federal AFA funding that will not allow for the dissection and reading of CWT from escapement areas in the Klamath River basin in time for use for 1995 season planning. The KFMC recommends that this area receive the highest priority for funding.

- 2) In the area of freshwater habitat work, a high priority should be assigned to studies that can assess current and historic habitat losses in terms of Klamath basin salmon production.

- 3) Studies on the stock contribution of Klamath River fish should receive a high priority. Improved estimates of the contribution of Klamath River fall chinook to the various ocean fishery strata are particularly needed, but estimates of the contribution of Klamath River substocks, such as the Shasta, Salmon, and Scott Rivers group, to ocean and freshwater fisheries are also needed.

4) Finally, studies on commercial trolling gear hooking mortality and contact rates for both sport and commercial fisheries should receive high priority.

Donald O. McIsaac, Chair

# NEWS RELEASE

U.S. FISH AND WILDLIFE SERVICE - REGION 1  
2800 Cottage Way, Room E-1831  
Sacramento, California 95825

IDAHO-NEVADA-CALIFORNIA-WASHINGTON-OREGON-  
HAWAII AND THE PACIFIC ISLANDS

FWS-94-01

Refer: Ms. Sharon Gross, Sacramento, CA - (916) 978-4613

FOR IMMEDIATE RELEASE: October 13, 1994

\* \* \*

SCOPING MEETINGS SCHEDULED FOR ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT  
REPORT ON MAINSTEM TRINITY RIVER FISHERY RESTORATION

The Fish and Wildlife Service and the Hoopa Valley Tribe are planning four scoping meetings in northwestern California to begin identifying issues to be studied in an Environmental Impact Statement/Environmental Impact Report (EIS/EIR) on restoration of the mainstem Trinity River fishery. A notice of intent to prepare the EIS/EIR was published in the Federal Register on October 12, 1994.

The EIS/EIR is being prepared pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, as amended, and the California Environmental Quality Act of 1970, as amended. The EIS/EIR will include an evaluation of mainstem Trinity River fishery restoration projects and recommendations for permanent instream fishery flow requirements and operating criteria and procedures for the restoration and maintenance of the Trinity River fishery.

Such actions are authorized by the Trinity River Flow Evaluation Study, a January 14, 1981 Secretarial Directive, and further authorized in the Central Valley Project Improvement Act (CVPIA) dated October 30, 1992.

To assist in preparing the EIS/EIR, individuals and organizations are invited to participate in public scoping meetings scheduled as follows:

October 27, 1994  
6:30 to 9:00 p.m.  
Elks Lodge #1786  
150 South Shasta Street  
Willows, CA 95988

November 1, 1994  
6:30 to 9:00 p.m.  
Victorian Inn  
1709 Main Street  
Weaverville, CA 96093

November 2, 1994  
6:30 to 9:00 p.m.  
Hoopa Valley Tribal  
Council Neighborhood Facility  
Hoopa, CA 95573

November 3, 1994  
6:30 to 9:00 p.m.  
Eureka Inn  
518 Seventh Street  
Eureka, CA 95501

(over)

94-01 - October 12, 1994

-2-

The public meetings will be informal and designed to provide general information about plans for preparing the EIS/EIR as well as receive comments from the public on concerns, issues, and alternatives to be addressed in the EIS/EIR. Written comments for this initial phase will be accepted until December 1, 1994, however, the public will have opportunities and be encouraged to comment throughout the EIS/EIR process.

Additional information on the EIS/EIR is available by calling the Bureau of Reclamation's "Grapevine" at 916-978-5378 or 1-800-742-9474. The "Grapevine", an information exchange system, provides the public a forum to give comments and ask questions about a variety of activities and programs associated with CVPIA.

**YUOK TRIBE**

P.O. Box 218 • Klamath, CA 95548  
(707) 482-2921  
FAX (707) 482-9465

OCT 19 1994

517 Third, Suite 18 • Eureka, CA 95501  
(707) 444-0433  
FAX (707) 444-0437

October 13, 1994

Mike Ryan, Project Manager  
Klamath River Irrigation Project  
6600 Washburn Way  
Klamath Falls, OR 97603

Dear Mr. Ryan,

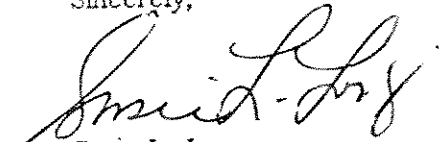
After meeting with representatives from the Karuk, Klamath, and Hoopa Valley Tribes, the Yurok Tribe feels it necessary to send this letter in regard to potential flow reductions from Iron Gate Dam.

Any flow reductions below Iron Gate Dam cannot be condoned by the Yurok Tribe. The potential reduction of flow below Iron Gate Dam was discussed by the above mentioned Tribes and it was determined that the needs of endangered sucker species dependent on lake levels cannot be pitted against the needs of anadromous fish dependent on flow releases from Iron Gate Dam. Klamath Basin tribal resources are in this serious situation (inadequate water for both lake levels and river flow) due to the failure of the Bureau of Reclamation to heed tribal concerns earlier this year. While above normal water deliveries (in terms of quantity) were made for agricultural purposes, water allocations for the protection of anadromous and lake dwelling species of fish were seriously compromised.

Honor the commitment you made through out this year to deliver no less than 900cfs below Iron Gate Dam. As you know, we already consider this flow far below the amount necessary for the protection of our fisheries resources. From early indications it appears that returns this fall are the best since the 1989 season. We hope the struggle these fish went through to reach spawning areas in the Klamath River was not in vain.

The bottom line is that failure by the Bureau to address tribal concerns throughout this past summer and early fall have placed Tribal resources at risk.

Sincerely,

  
Susie L. Long  
Chairperson, Yurok Tribe

cc: Karuk Tribe, Klamath Tribe, Hoopa Valley Tribe  
Congressman Dan Hamburg

cc:

Hoop Valley Tribe  
P.O. Box 417  
Hoopa, A 95546

Klamath Tribe  
P.O. Box 436  
Chiliquin, OR 97624

Karuk Tribe  
P.O. Box 1016  
Happy Camp, CA 96039

Congressman Dan Hamburg  
114 Carmon Blvd  
House of Representatives  
Washington, DC 20515

Mr. Mike Ryan  
Project manager  
Klamath River Irrigation Project  
6600 Washburn Way  
Klamath Falls, OR 97603

Mr. Ron Jaeger  
Area Director  
Bureau. of Indian Affairs  
2800 Cottage Way  
Sacramento, CA 95825

Mr. J. Mark Robinson  
Federal Energy Regulatory Commission  
Mail Stop: DPCA, JL-21.1  
825 North Capitol St., NE  
Washington, DC 20426

Mr. Dale A. Pierce  
Acting Field Supervisor  
US Fish and Wildlife Service  
2800 Cottage Way  
Sacramento, CA 95825

Mr. Randy Brown  
US Fish and Wildlife Service  
P.O. Box 630  
Lewiston, CA 96052

Mr. Ron Iverson  
KFMC and KRTF  
US Fish and Wildlife Service  
P.O. Box 1006  
Yreka, CA 96097

Mr. James Bybee  
National Marine Fisheries Service  
777 Sonoma Ave., Room 325  
Santa Rosa, CA 95404

Mr. John L. Turner  
CA Fish and Game  
P.O. Box 944209  
Sacramento, CA 94244-2090

Mr. Bob Rhode  
Karuk Tribe  
Department of Natural Resources  
P. O. Box 282  
Orleans, CA 95546

Mr. James goris  
Acting Regional Director  
Federal Energy Regulation Commission  
901 Market St., Suite 350  
San Francisco, CA 94103

Mr. Doug Denton  
CA Department of Water Resources  
P.O. Box 607  
Red Bluff, CA 96080

Mr. Bill winchester  
North Coast Regional Water Quality  
Control Board  
5550 Sky Lane Blvd., Suite A  
Santa Rosa, CA 95403

Mr. Richard Elliott  
California Fish and Game  
601 Locust Street  
Redding, CA 96001

Ms. Barbra Holder  
Supervisor  
Klamath National Forest  
1312 Fairland Rd.  
Yreka, CA 96097

Mr. Robert Franklin  
Hoopa Valley Tribe  
P.O. Box 417  
Hoopa, CA 95546

Mr. Mike Rode  
California Fish and Game  
No. 3 North Old Stage Rd.  
Mount Shasta, CA 96097

Mr. Tryg Sietteland  
Sierra Club Legal Defense Fund  
203 Hoge Bldg.  
705 2nd Ave.  
Seattle, WA 98104-1711

Ms. Diane Fienstien  
Senator  
Room 331  
Hart Senate Office Building  
Washington, DC 20510

Ms. Barbra Boxer  
Senator  
Room 112  
Hart Senate Office Building  
Washington, DC 20510

Supplemental Attachment E.1.b  
October 1994

STATUS REPORT OF THE 1994 OCEAN SALMON FISHERIES OFF WASHINGTON,  
OREGON AND CALIFORNIA THROUGH SEPTEMBER, COMPARED WITH CATCHES IN  
1993 AND 1992

Catch data in this report are derived from both hard and soft data systems and should be regarded as very preliminary. Some totals may not add up due to rounding.

Pacific Fishery Management Council

Millbrae, California

October 25, 1994

TABLE 1. Summary of 1994 PRELIMINARY Ocean Salmon Catches through September with comparative catches in 1993 and 1992.

Species	State	-----Catch to Date-----		
		1994	1993	1992
=====				
CHINOOK				
-----				
Troll:				
	WASHINGTON:			
	Non-Indian	0	30,400	43,700
	Treaty Indian a/	5,500 (4,400)	32,000 (24,400)	28,800 (21,000)
	State Total:	5,500	62,400	72,500
	OREGON:			
	No.C.Falcon	0	400	2,300
	So.C.Falcon	18,100	73,900	92,300
	State Total	18,100	74,300	94,600
	CALIFORNIA:			
	No. Pt.Delqada	0	0	0
	Ft. Braqq	15,600	19,500	0
	So. Pt. Arena	273,800	249,500	163,400
	State Total	289,400	269,000	163,400
	GRAND TOTAL TROLL	313,000	405,700	330,500
=====				
Recreational:				
	WASHINGTON:	0	13,000	18,500
	OREGON:			
	No.C.Falcon	0	800	500
	So.C.Falcon	2,800	5,600	11,400
	State Total	2,800	6,400	11,900
	CALIFORNIA:			
	No. Pt.Delqada	10,100	4,900	2,600
	Ft. Braqq	10,900	5,800	4,300
	So. Pt. Arena	137,100	94,000	62,900
	State Total	158,100	104,700	69,800
	GRAND TOTAL RECREATIONAL	160,900	124,100	100,200
	GRAND TOTAL BOTH	473,900	529,800	430,700

a/ Numbers in parentheses are for catches from May 1 - September 30.

TABLE 1. Continued.

TABLE 1. Continued.				
Species	State	Catch to Date		
		1994	1993	1992
COHO				
Troll:				
WASHINGTON:				
	Non-Indian	0	13,900	17,700
	Treaty Indian	0	58,300	74,300
	State Total:	0	72,200	92,000
OREGON:				
	No.C.Falcon	0	1,600	1,600
	So.C.Falcon	0	0	48,100
	State Total	0	1,600	49,700
CALIFORNIA:				
	No. Pt.Delgada	0	0	0
	Ft. Bragg	0	0	0
	So. of Pt. Arena	0	0	2,200
	State Total	0	0	2,200
	GRAND TOTAL TROLL	0	73,800	143,900
Recreational:				
	WASHINGTON:	0	125,500	111,900
OREGON:				
	No.C.Falcon	0	21,200	22,300
	So.C.Falcon	0	36,900	163,600
	State Total	0	58,100	185,800
CALIFORNIA:				
	No. Pt.Delgada	230	14,300	6,400
	FT. Bragg	200	12,300	3,300
	So.of Pt. Arena	300	3,100	1,800
	State Total	730	29,700	11,500
	GRAND TOTAL RECREATIONAL	730	213,300	309,200
	GRAND TOTAL BOTH FISHERIES	730	287,100	453,100

TABLE 2. Summary of 1994 PRELIMINARY Ocean Salmon Fishing Effort through July with comparative data for 1993 and 1992.

Species	State	Fishing Effort		
		1994	1993	1992
TROLL				
(Days Fished)				
WASHINGTON:				
	Non-Indian	0	3,700	4,800
	Treaty Indian a/	300 (200)	2,400 (1,700)	1,700 (1,100)
	State Total:	300	6,100	6,500
OREGON:				
	No.C.Falcon	0	200	300
	So.C.Falcon	2,500	7,900	7,500
	State Total	2,500	8,200	7,900
(Deliveries)				
CALIFORNIA:				
	No. Pt.Delgada	0	0	0
	Ft. Bragg	NA	1,500	0
	So. Pt. Arena	NA	23,300	20,300
	State Total	NA	24,800	20,300
GRAND TOTAL TROLL		NA	NA	NA
RECREATIONAL				
(Angler Trips)				
WASHINGTON:				
		0	127,300	100,300
OREGON:				
	No.C.Falcon	0	17,800	12,900
	So.C.Falcon	13,900	61,800	148,500
	State Total	13,900	79,600	161,500
CALIFORNIA:				
	No. Pt.Delgada	19,300	33,600	18,200
	Ft. Bragg	21,400	19,200	10,800
	So.of Pt. Arena	133,100	115,800	92,300
	State Total	173,800	168,600	121,300
GRAND TOTAL RECREATIONAL		187,700	375,500	383,100

a/ Numbers in parentheses are effort (Deliveries) during May 1 - Sept. 30.

TABLE 3. CHINOOK harvest quotas for the 1994 Pacific Council-adopted ocean salmon fishery management measures and catches through September (thousands of fish).

Fishery	Quota	Catch	Percent
NORTH OF CAPE FALCON:			
Treaty Indian Troll (5/1-6/30)	16.4	4.435	27.0%
SOUTH OF CAPE FALCON:			
TROLL:			
Florence to Humbuq Mt (5/1-6/30)	12.0	1.952	16.3%
Cape Arago to Humbuq Mt (9/1-10/31)	10.0	0.027	0.3%
Sisters Rocks to House Rock (5/1-31)	1.5	0.224	14.9%
Sisters Rocks to Mach Arch (8/8-31)	0.8	0.220	27.5%
TOTAL TROLL HARVEST:	24.3	2.423	10.0%
RECREATIONAL: (KMZ)			
Humbuq Mt. to Horse Mt.(5/1-6/7)	10.3	11.100	107.8%
Humbuq Mt. to Horse Mt.(8/27-31)	0.5	1.200	240.0%
TOTAL RECREATIONAL HARVEST:	10.8	12.300	113.9%
TOTAL SOUTH OF CAPE FALCON:	35.1	14.723	41.9%

## FACSIMILE LEADER PAGE

FROM: CALIF. DEPT. OF FISH & GAME  
 IRON GATE FISH HATCHERY  
 8638 Lakeview rd.  
 Hornbrook, Calif. 96044

Fax (916) 475-0421

Page 1 of 3

Date: \_\_\_\_\_

To: \_\_\_\_\_

From: IRON GATE HATCHERY - KIM RUSATON

Phone: (916) 475-3325

Additional instructions:  
 EVEN WITH RACK DOWN,  
 FISH ARE SOMEHOW ABLE TO GET INTO MAIN FISH LADDER BY THE  
 POWER HOUSE. GALLERY VALVE AND/OR VALVE ON FACE OF WALL  
 NEXT TO LADDER ENTRANCE ARE SUSPECTED TO BE STUCK OPEN.

K.S. CLIPPED (VENTRAL) AND  
 RETURNED TO RIVER!

10-17	252	FISH
10-19	1305	"
10-24	260	"
10-28	324	"
10-31	14	"
11-2	42	"
11-4	37	"
11-7	75	"

TOTAL TO DATE 2309

VENTRAL CLIPPED K.S. THAT  
 RETURNED TO TRAP:

10-19	2	FISH
10-20	24	"
10-22	23	"
10-24	21	"
10-26	51	"
10-28	15	"
10-31	21	"
11-2	15	"
11-4	22	"
11-7	33	"

TOTAL TO DATE 227

SEE CALENDARS  
 FOR HOURS \*SMALL  
 AND \*BIG LADDER  
 WERE OPEN.

\* SMALL LADDER (S.L.)  
 RACEWAY OUTLET

\* BIG LADDER (B.L.)  
 AT POWER HOUSE

# NOVEMBER 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2 OPENED BIG LADDER AT 1500 AND LEFT OPEN. S.L. - 0800-1000 CLOSED SMALL LADDER AT 1000	3 BIG LADDER OPEN S.L. CLOSED	4 B.L. - OPEN S.L. - CLOSED	5 →
6 →	7 B.L. OPEN →	8	9 CLOSED SMALL LADDER SO FISH BEING RELEASED FROM FALL CREEK WOULD NOT GO UP LADDER.	10	11	12
13	14	15	16	17	18 Veterans Day	19
20	21	22	23	24 Thanksgiving Day	25 Day after Thanksgiving	26
27	28	29	30			

October 1994  
S M T W T F S

December 1994  
S M T W T F S

1 2 3  
4 5 6 7 8  
9 10 11 12 13 14 15  
16 17 18 19 20 21 22  
23 24 25 26 27 28 29  
30 31

1 2 3  
4 5 6 7 8 9 10  
11 12 13 14 15 16 17  
18 19 20 21 22 23 24  
25 26 27 28 29 30 31

Note: Holidays and pay periods after July 1, 1993 are subject to any collective bargaining agreements negotiated in Fiscal Year 1993-94 or thereafter.

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
September 1994 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	November 1994 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30					1
2	3	4	5	6	7	8
9	10 HOURS OPEN	11	12	13	14	15
CLOSED LABORERS 1400	S.L. 1400-1500 Columbus Day Observed	S.L. 0800-0930		S.L. 1000-1130 G.L. 1100-1230	S.L. 1300-1400	
16	17	18	19	20	21	22
	S.L. 1100-1300 B.L. 1230-1330		S.L. 1000-1330 B.L. 1130-1330			S.L. 0930-1530
23	24	25	26	27	28	29
S.L. 1200-1400 S.L. 1200-1430 S.L. 0930-1100-1430 S.L. 1100-1430 End Day Period 31			S.L. 1000-1400 B.L. 1200-1600		S.L. 1000-1130	
30	31					

HOURS LABORERS WERE OPEN

OCTOBER 1994

S.L. - SMALL LABORER (BY REPAIRING FUNDS)  
 R.L. - RIG LABORER (BY REPAIRING FUNDS)

Oct 30, 1994

To: Keith Wilkinson and other members of the KFMC

From: Dave Webb, Shasta CRMP Coordinator, PO Box 277, Mt Shasta, CA 96067

Subject: Spawner utilization of the lower portion of the Shasta River

Greetings!

At the last KFMC meeting you asked me about where salmon were spawning in the lower portions of the Shasta River. I just completed a carcass recovery survey on one portion of that area, and have looked over what was going on in the other stretches that I didn't walk.

What I found was that spawning is more widely distributed this year than seemed to be the case in the past. The enhancement areas are still being extensively used, but other areas of naturally occurring gravel that look to be equally good are also being used. In the past two seasons, many of those same areas were either unused, or appeared distinctly under-utilized. I saw no signs of redd superimposition, nor use of areas that appeared inappropriate (as is currently occurring in Bogus Creek). Conversations with DFG employees involved with spawner surveys yielded similar responses. In all areas where spawning is occurring there are substantial areas of unused but seemingly suitable gravel still available, with the run nearly complete.

I did notice that this years redds tended to be substantially larger than I saw last year or the year before, a reflection (I assume) of the larger size and better condition of salmon returning this year. I also noticed that in several instances the salmon in a given area would form side-by-side redds, the full width of the river. That, combined with the large size of the redds, created a raised berm of gravel under the water that looked like it would greatly increase the amount of water passing through the redds over what would occur with single scattered redds. I would be curious to hear if anyone else has observed this, or if it is just coincidence.

At the meeting, I also mentioned one other apparent group behavior that we are seeing-- many of the salmon seem to be assembling in large groups (300-500), then moving upriver, through the DFG counting/marking weir. This seems to be most common during daylight hours in the morning, but also may be seen just before dark. Weir operators from many years back had always described the salmon as mostly moving during the day, but observations from the last 4-5 years had consistently been that they came through one by one, mostly at night. It appears as if they have a sense of safety in numbers, and in years when there are adequate numbers, their behavior changes. It would be interesting to pursue what else might be density dependent in their spawning behavior.

That pulsing through in large groups did create substantial problems for the people operating the DFG weir. The passage way through the weir opens into a 40 sq. ft. cage. When the fish start to move upstream, the cage would rapidly fill with 20-40 salmon, all thrashing around, trying to get out. As soon as the operator jumped in to begin catching them, the remainder outside the trap would turn around and race back downstream. The weir operator would then have to net each fish, one by one, sex it, stretch it out and measure it, punch a hole in the operculum of and take scale samples from some of the fish, then lift each one up about two and a half feet over the wall of the cage and let it down two and a half feet into the river on the upstream side of the weir, all the while having a cage full of fish beating on his legs. Once the operator had processed them all, he or she would have to climb completely out of the cage and away from the water so the next 20-40 would try to get through and the whole process would start over.

It sounds kind of exciting, until one realizes that 300-15 lb fish total 4500 lbs, all fight. And it could take hours for all 300 of them to get processed through the weir. The people operating the weir really worked their hearts out at times like that.

For many people living along the river, this is the first time in about 6 years that they have been able to casually see salmon in the course of doing their work, and they are quite happy about it. They have also seen them spawning in intermediate sections of the river that have been unused for about as many years. While we have no observations of Big Springs Creek (landowner has denied access) he has said that there are 1000 salmon in Big Springs Creek. There are quite a few redds visible from the Louie Rd. bridge about 1/8 mile above the mouth of Big Springs Creek.

On other pertinent bit of information for those of you not familiar with the Shasta River: The Shasta River begins to increase in flow sometime in August, when summer snow melt flowing underground from Whitney and Bolam Glaciers begins to surface in the general vicinity of Big Springs. The river jumps substantially with the close of irrigation on Oct. 1, and then continues to rise slowly for several months, presumably partly from the continued arrival of summer glacial melt-off, combined with decreased transpiration of riparian plants as the weather cools. The net result is that even though we have gotten no rain for 6 months, and may not get any for several more months, the river is now running cold and clear, and with substantial flows. This very unique hydrology is essential for salmonid use of the Shasta, and sets it apart from near-by rivers which are more dependent on fall rains to resume substantial flows in the fall.

I hope this answers your question. If there is anything else you are wondering about, please ask.

Respectfully yours,

David Webb

UNITED STATES DEPARTMENT OF THE INTERIOR  
OFFICE OF THE SOLICITOR

## TRANSMISSION NOTICE

TO: Ron Iverson  
U.S. Fish and Wildlife Service  
P.O. Box 1006  
1215 S. Main Street, Suite 212  
Yreka, California 96097-1006

FAX Transmission Phone No.: 916-842-4517

Phone No. for Pickup: 916-842-5763

FROM: Steven K. Linscheid  
Office of the Solicitor  
Division of Conservation and Wildlife  
U.S. Department of the Interior  
1849 C St., N.W. MS-6560  
Washington, D.C. 20240  
Telephone: (202) 208-6172  
FAX Number: (202) 208-3877

DATE: Wednesday Oct 19, 1994

NO. OF PAGES TO FOLLOW: 21

RE:

Parsons v. Bellitt

MESSAGE:

*Statement of Issues filed by Plaintiffs*

NATURE OF ACTION AND RESULT BELOW:

Ocean fishermen (sports and commercial), organizations and coastal community representatives brought suit for declaratory relief and to enjoin U.S. Secretaries of Commerce and Interior from implementing agreement to curtail ocean fishing to provide 50% of fish to "Indian" Klamath River net fisheries where no treaty rights exist. Court held non-treaty Indians entitled to allocation and dismissed.

Plaintiffs also sued to enforce federal duty to protect and restore Klamath river fish runs under explicit federal statutes and Administrative Procedures Act. Court held statute(s) not judicially enforceable and dismissed.

ISSUES INVOLVED:

- 1) Does agreement and action of federal defendants to curtail ocean fisheries to allocate 50% of fish to non-treaty "Indian" river net fisheries violate the U.S. Constitution, FCMA (16 U.S.C. 1801, et seq. and regulations thereunder), the Administrative Procedures Act, and other law?
- 2) Is federal law, especially Klamath River Restoration Act (P.L. 99-552) and Trinity Basin Act (P. L. 98-541), which requires federal agencies to protect, restore and enhance Klamath river salmon runs enforceable against defendants who have expended millions of dollars specifically appropriated for those purposes without fulfilling statutory directives and otherwise operated to the detriment of these runs?



## Klamath Fishery Management Council

*Working to Restore Anadromous Fish in the Klamath River Basin*

P. O. Box 1006  
Yreka, California 96097

November 18, 1994

California Commercial Salmon  
Fishing Industry

California Department of  
Fish and Game

California Offshore Sport Fishery

Hoopa Valley Business Council

Klamath In-River Sport Fishery

National Marine Fisheries Service

Non-Hoopa Indian Representative

Oregon Commercial Salmon  
Fishing Industry

Oregon Department of  
Fish and Wildlife

Pacific Fishery Management  
Council

U.S. Department of the Interior

Mr. Dale Risling, Chairman  
Hoopa Valley Tribal Council  
P. O. Box 1348  
Hoopa, CA 95546

Dear Mr. Risling:

The Klamath Fishery Management Council is a Federal advisory committee established by law (16 USC 460ss-2, the Klamath Act) to provide planning, policy, and guidance on management of harvests of anadromous fish populations of the Klamath River Basin. You are officially represented on the Council by Mr. Clifford L. Marshall (appointed in 1987). The Klamath Act provides for four-year terms of appointment. Please appoint someone to represent you on the Council. We request that the appointments be made in January so that the members can be seated by July 1, 1995.

We have attached an excerpt from the Klamath Act to assist you in considering our request. Please note that the Klamath Act does not prohibit reappointment of an individual whose term has expired.

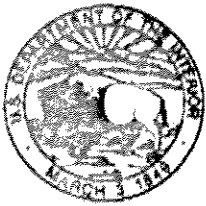
The most current address we have for Mr. Marshall is P. O. Box 307, Hoopa, CA 95546.

Please provide this office with copies of any correspondence relating to appointment or reappointment to the Council.

Sincerely,

Ronald A. Iverson  
Executive Secretary

Attachment



## United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Coastal California Fishery Resource Office  
1125 16th. Street, Room 209  
Arcata, California 95521  
(707)-822-7201

November 07, 1994

## MEMORANDUM

TO: Patricia Parker, Fishery Biologist, KRFR  
Yreka, CA

FROM: Thomas Shaw, Fishery Biologist, CCFRO  
Arcata, CA

SUBJECT: Mainstem Klamath River Fall Chinook Redd Surveys

This memorandum is in response to the FAX dated 11/01/94 requesting an update on the mainstem Klamath River surveys of fall chinook redds during 1994. The attached table summarizes the redds observed and locations from October 18 - November 4, 1994.

As mentioned in the Fiscal Year 1995 proposal Mainstem Klamath River Fall Chinook Spawning Escapement, surveys will be conducted from the Iron Gate Dam to the confluence of Indian Creek (river kilometer 306.1 - 171.1). This entire section has been surveyed weekly for the past 3 weeks and surveys, weather permitting and if spawning continues, will continue through the third week of November.

In reference to the ventral clipped hatchery return fish, as stated in the proposal, "Chinook carcasses below the Shasta River confluence will be measured, examined for fin-clips, and sexed.", carcasses have only been examined below Shasta River and no ventral clips have been observed. The reasoning behind the cutoff above the Shasta River is CCFRO does not have the time or staff to examine hatchery fish, especially this year with the high escapement.

Information regarding the spawning success and reasoning of releasing unspawned hatchery fish into a natural spawning environment needs to be addressed by the Klamath Council. Perhaps CCFRO could submit a separate proposal for Fiscal Year 1996 to address this issue.

Overall, the number of redds observed on the mainstem Klamath River has been almost five times the spawning observed last year (1,539 vs 330). The U.S. Forest Service, Happy Camp Ranger District, is surveying below Indian Creek (contact: John Grundbaum (916) 493-2243) to look at redds downstream, since our crews are inundated with redds above.

I hope this information will be helpful to you. If you have any additional questions or need further clarification, please feel free to call at (707) 822-7201.

OPTIONAL FORM 98 (7-90)

## FAX TRANSMITTAL

# of pages 2

To: Patricia Parker	From: Tom Shaw
Dept./Agency: KRFR	Phone: CCFRO
Fax #	Fax #

NSN 7540-01-317-7508

5095-101

GENERAL SERVICES ADMINISTRATION

Table 1. Fall chinook redds observed on the mainstem Klamath River from Iron Gate Dam to the Indian Creek confluence (10/18/94 - 11/04/94).

Week	Survey Location	River Kilometer	Number of Redds
1 (10/18 - 10/20)	Iron Gate Dam to Ash Creek River Access	308.1 - 281.6	89
2 (10/25 - 10/28)	Iron Gate Dam to Ash Creek River Access	308.1 - 281.6	278
3 (10/31 - 11/04)	Iron Gate Dam to Ash Creek River Access	308.1 - 281.6	370
	Total to Date		737
1 (10/18 - 10/20)	Ash Creek River Access to Beaver Creek Riffle	281.6 - 257.1	28
2 (10/25 - 10/28)	Ash Creek River Access to Beaver Creek Riffle	281.6 - 257.1	59
3 (10/31 - 11/04)	Ash Creek River Access to Beaver Creek Riffle	281.6 - 257.1	20
	Total to Date		107
1 (10/18 - 10/20)	Beaver Creek Riffle to Blue Heron River Access	257.1 - 231.8	48
2 (10/25 - 10/28)	Beaver Creek Riffle to Blue Heron River Access	257.1 - 231.8	77
3 (10/31 - 11/04)	Beaver Creek Riffle to Blue Heron River Access	257.1 - 231.8	46
	Total to Date		171
1 (10/18 - 10/20)	Blue Heron River Access to Selad Bar	231.8 - 212.7	no survey
2 (10/25 - 10/28)	Blue Heron River Access to Selad Bar	231.8 - 212.7	119
3 (10/31 - 11/04)	Blue Heron River Access to Selad Bar	231.8 - 212.7	42
	Total to Date		155
1 (10/18 - 10/20)	Selad Bar to China Point River Access	212.7 - 189.8	no survey
2 (10/25 - 10/28)	Selad Bar to China Point River Access	212.7 - 189.8	98
3 (10/31 - 11/04)	Selad Bar to China Point River Access	212.7 - 189.8	16
	Total to Date		114
1 (10/18 - 10/20)	China Point River Access to Indian Creek	189.8 - 171.1	98
2 (10/25 - 10/28)	China Point River Access to Indian Creek	189.8 - 171.1	124
3 (10/31 - 11/04)	China Point River Access to Indian Creek	189.8 - 171.1	93
	Total to Date		255
	Grand Total (10/18 - 11/04)		1539



COPY FOR YOUR  
INFORMATION

## Klamath Fishery Management Council

*Working to Restore Anadromous Fish in the Klamath River Basin*

P. O. Box 1006  
Yreka, California 96097

November 18, 1994

California Commercial Salmon  
Fishing Industry  
California Department of  
Fish and Game  
California Offshore Sport Fishery  
Hoopa Valley Business Council  
Klamath In-River Sport Fishery  
National Marine Fisheries Service  
Non-Hoopa Indian Representative  
Oregon Commercial Salmon  
Fishing Industry  
Oregon Department of  
Fish and Wildlife  
Fishery Management  
Council  
U.S. Department of the Interior

Honorable Pete Wilson  
Governor of California  
Sacramento, CA 95814

Dear Governor Wilson:

The Klamath Fishery Management Council is a Federal advisory committee established by law (16 USC 460ss-2, the Klamath Act) to provide planning, policy, and guidance on management of harvests of anadromous fish populations of the Klamath River Basin. Your office has made the following appointments to the Council, representing the indicated agency and user group:

<u>Representative</u>	<u>Representation</u>
Nathaniel S. Bingham	California Commercial Salmon Fishing Industry
Virginia R. Bostwick	Klamath In-River Sport Fishery
Robert P. Hayden	California Offshore Sport Fishery
Robert Fletcher	California Department of Fish and Game

The Klamath Act provides for four-year terms of appointment to the Council. We estimate that terms of the representatives identified above expired in June, 1991. Please appoint individuals to represent the indicated groups on the Council. We request that the appointments be made in January so that the members can be seated by July 1, 1995.

We attached an excerpt from the Klamath Act to assist you in considering our request. Please note that the Klamath Act does not prohibit reappointment of an individual whose term has expired.

The Council representatives named above may be contacted at the following addresses:

Nathaniel S. Bingham  
P. O. Box 783  
Mendocino, CA 95460

Virginia R. Bostwick  
Kamp Klamath RV Park  
P. O. Box 128  
Klamath, CA 95548

Robert P. Hayden  
P. O. Box 189  
Laytonville, CA 95454

Robert Fletcher  
Sport Fish Association of California  
2917 Canon Street  
San Diego, CA 92106-2703

Please provide this office with copies of any correspondence relating to appointment or reappointment to the Council.

Sincerely,



Ronald A. Iverson  
Executive Secretary

Attachment



# Klamath Fishery Management Council

*Working to Restore Anadromous Fish in the Klamath River Basin*

P. O. Box 1006  
Yreka, California 96097

November 18, 1994

California Commercial Salmon  
Fishing Industry

California Department of  
Fish and Game

California Offshore Sport Fishery

Hoopa Valley Business Council

Klamath In-River Sport Fishery

National Marine Fisheries Service

Non-Hoopa Indian Representative

Oregon Commercial Salmon  
Fishing Industry

Oregon Department of  
Fish and Wildlife

Pacific Fishery Management  
Council

U.S. Department of the Interior

Honorable Ronald H. Brown  
Secretary of the Department of Commerce  
Washington, D. C. 20230

Dear Mr. Secretary:

The Klamath Fishery Management Council is a Federal advisory committee established by law (16 USC 460ss-2, the Klamath Act) to provide planning, policy, and guidance on management of harvests of anadromous fish populations of the Klamath River Basin. Your office has made the following appointments to the Council, representing the indicated agency and user group:

Representative

Representation

E. C. Fullerton

National Marine Fisheries  
Service

Richard Schwarz

Pacific Fishery Management  
Council

The Klamath Act provides for four-year terms of appointment to the Council. We estimate that terms of the representatives identified above will expire in October, 1994. Please appoint individuals to represent the indicated groups on the Council after that date. We request that the appointments be made in January so that the members can be seated by July 1, 1995.

We attached an excerpt from the Klamath Act to assist you in considering our request. Please note that the Klamath Act does not prohibit reappointment of an individual whose term has expired.

The last known address for the Council representatives named above are as follows:

E. C. Fullerton  
Regional Director  
National Marine Fisheries Service

501 West Ocean Blvd, Suite 4200  
Long Beach, CA 90802-4213

Richard Schwarz  
National Marine Fisheries Service  
Pacific Fisheries Management Council  
2130 S. W. Fifth Avenue, Suite 224  
Portland, OR 97201

Please provide this office with copies of any correspondence  
relating to appointment or reappointment to the Council.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. A. Iverson".

Ronald A. Iverson  
Executive Secretary

Attachment

COPY FOR YOUR  
INFORMATION



## Klamath Fishery Management Council

*Working to Restore Anadromous Fish in the Klamath River Basin*

P. O. Box 1006  
Yreka, California 96097

November 18, 1994

California Commercial Salmon  
Fishing Industry

California Department of  
Fish and Game

California Offshore Sport Fishery

Hoop Valley Business Council

Klamath In-River Sport Fishery

National Marine Fisheries Service

Non-Hoop Indian Representative

Oregon Commercial Salmon  
Fishing Industry

Oregon Department of  
Fish and Wildlife

Klamath Fishery Management  
Council

U.S. Department of the Interior

Honorable Barbara Roberts  
Governor of Oregon  
Salem, Oregon 97310-1347

Dear Governor Roberts:

The Klamath Fishery Management Council is a Federal advisory committee established by law (16 USC 460ss-2, the Klamath Act) to provide planning, policy, and guidance on management of harvests of anadromous fish populations of the Klamath River Basin. Your office has made the following appointments to the Council, representing the indicated agency and user group:

Representative

Representation

Donald O. McIsaac, PhD.

Oregon Department of Fish and  
Wildlife

Keith Wilkinson

Oregon Commercial Salmon Fishing  
Industry

The Klamath Act provides for four-year terms of appointment to the Council. We estimate that terms of the representatives identified above will expire in October, 1994. Please appoint individuals to represent the indicated groups on the Council after that date. We request that the appointments be made in January so that the members can be seated by July 1, 1995.

We attached an excerpt from the Klamath Act to assist you in considering our request. Please note that the Klamath Act does not prohibit reappointment of an individual whose term has expired.

The Council representatives named above may be contacted at the following addresses:

Donald O. McIsaac, PhD.  
Oregon Department of Fish & Wildlife  
P. O. Box 59  
Portland, Oregon 97207

Keith Wilkinson  
1112 Spruce Street  
Myrtle Point, Oregon 97458

Please provide this office with copies of any correspondence relating to appointment or reappointment to the Council.

Sincerely,

A handwritten signature in cursive script, reading "R. A. Iverson".

Ronald A. Iverson  
Executive Secretary

Attachment

COPY FOR YOUR  
INFORMATION



## Klamath Fishery Management Council

*Working to Restore Anadromous Fish in the Klamath River Basin*

P. O. Box 1006  
Yreka, California 96097

November 18, 1994

California Commercial Salmon  
Fishing Industry

California Department of  
Fish and Game

California Offshore Sport Fishery

Hoopa Valley Business Council

Klamath In-River Sport Fishery

National Marine Fisheries Service

Non-Hoopa Indian Representative

Oregon Commercial Salmon  
Fishing Industry

Oregon Department of  
Fish and Wildlife

Pacific Fishery Management  
Council

U.S. Department of the Interior

Honorable Bruce Babbitt  
Secretary of the Department of the Interior  
Washington, D. C. 20240

Dear Mr. Secretary:

The Klamath Fishery Management Council is a Federal advisory committee established by law (16 USC 460ss-2, the Klamath Act) to provide planning, policy, and guidance on management of harvests of anadromous fish populations of the Klamath River Basin. Your office has made the following appointments to the Council, representing the indicated agency and user group:

Representative

Representation

J. Lisle Reed

U. S. Department of the  
Interior

Susan M. Masten

Non-Hoopa Indians residing  
in the Klamath Conservation  
Area

The Klamath Act provides for four-year terms of appointment to the Council. We estimate that terms of the representatives identified above expired in June, 1991. Please appoint individuals to represent the indicated groups on the Council. We request that the appointments be made in January so that the members can be seated by July 1, 1995.

We attached an excerpt from the Klamath Act to assist you in considering our request. Please note that the Klamath Act does not prohibit reappointment of an individual whose term has expired.


The Council representatives named above may be contacted at the following addresses:

J. Lisle Reed  
Minerals Management Service  
Pacific OCS Region  
770 Paseo Camarillo Drive  
Camarillo, CA 93010

Susan M. Masten  
P. O. Box 910  
Klamath, CA 95548

Please provide this office with copies of any correspondence relating to appointment or reappointment to the Council.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. A. Iverson". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Ronald A. Iverson  
Executive Secretary

Attachment